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FINAL

ENVIRONMENTAL IMPACT STATEMENT

MARION, NORTH CAROLINA



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IV
1421 PEACHTREE ST., N. E.
ATLANTA, GEORGIA 30309

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FINAL
ENVIRONMENTAL IMPACT STATEMENT
FOR MARION, NORTH CAROLINA

Prepared By
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Atlanta, Georgia 30309

Approved By:

 5/6/74
Regional Administrator Date

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SUMMARY SHEET FOR ENVIRONMENTAL
IMPACT STATEMENT

MARION, NORTH CAROLINA

Draft ()

Final (X)

Environmental Protection Agency
Region IV

1. Administration action (X)

Legislative action ()

2. This action consists of a Federal grant for the construction of wastewater pumping station, force mains, interceptor sewers and a wastewater treatment plant in Marion, McDowell County, North Carolina.

3. The proposed project will have both beneficial and adverse impacts on the environment; however, the beneficial effects will outweigh the adverse effects. The extended air wastewater treatment plant will provide for nitrification and phosphorous removal. The effluent will be discharged to Corpening Creek near the present discharge.

There will be some unavoidable adverse effects related to the construction operation, including construction noise, traffic, clearing of rights-of-way, removal of trees and foliage, and soil erosion. Many

of these effects will be minimized by construction precautions.

The following alternate methods and locations of disposal of treated wastewater from the treatment plant are discussed:

1. No action
2. Upgrading the present plant
3. Construction of new facilities to discharge into North Muddy Creek
4. Construction of new facilities to discharge into Corpening Creek
5. Construction of new facilities to discharge into Catawba River
6. Land disposal of treated wastewater.

The need for abatement of existing pollution in Corpening and Muddy Creeks is great. Construction of a single new waste treatment plant will not only improve the existing problem but will eliminate the possibility of a proliferation of small treatment facilities spread throughout the Marion area.

For purposes of this EIS, EPA, Region IV, Atlanta, Georgia is the "responsible Federal agency" as required by NEPA.

The draft statement was made available to the Council on Environmental Quality and the public on July 8, 1973, and the final EIS was made available to CEQ and the public on June 14, 1974.

The following Federal and State agencies and private citizens commented on the draft impact statement.

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FINAL ENVIRONMENTAL
IMPACT STATEMENT

MARION, NORTH CAROLINA

FOREWORD

This environmental impact statement (EIS) has been prepared pursuant to the National Environmental Policy Act (NEPA) of 1969. The Act directs the responsible Federal agency to develop EIS's in accordance with guidelines set forth by the President's Council on Environmental Quality (CEQ) for all major actions which have a significant impact on the quality of the human environment.

The EIS is based on currently available data and information. The intent of NEPA is to disclose all immediately identifiable adverse and beneficial environmental effects resulting from a proposed action. Therefore, the findings of this EIS are intended to guide all levels of government in evaluating pollution

problems to ensure that environmentally sound solutions are ultimately adopted.

Under the statutory authority of the Federal Water Pollution Control Act Amendments of 1972, the U. S. Environmental Protection Agency (EPA) is charged with administering Federal financial assistance for the construction of publicly-owned wastewater treatment facilities and appurtenances. EPA will also issue permits to municipal governments to allow the discharge of treated wastewater effluents into navigable waters in such a manner as to protect the health and welfare of the public and the environment. The 1972 Act established a national goal of eliminating the discharge of pollutants by 1985. In addition, the Act states "that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water is to be achieved by July 1, 1983."

Section 304(d) (1) of the Federal Water Pollution Control Act Amendments requires the EPA Administrator to publish information, in terms of amounts of constituents and chemical, physical, and biological

characteristics of pollutants, in the degree of effluent reduction attainable through the application of secondary treatment. A more thorough definition of secondary treatment, as printed in the August 17, 1973 Federal Register, can be found in Appendix A.

I. BACKGROUND

A. General

This statement examines the impact on man and his environment of the construction of wastewater treatment facilities in Marion, North Carolina. Federal law requires that a minimum of secondary treatment with disinfection be provided for all municipal wastewaters prior to discharge.

According to the Comprehensive Water and Sewerage Study by O'Brien and Gere, Inc., the wastewater flow to the Marion sewage treatment plant will be comprised of approximately 70 to 80 percent industrial wastes. The industrial fraction will be mainly textile manufacturing wastes, which normally contain color and various metals--the amounts varying with the unit process employed by the manufacturer. Pretreatment will be required for these industrial wastes in accordance with the standards published in the July 19, 1973 Federal Register. Excerpts are as follow:

Under section 307(b) of the Act (Federal Water Pollution Control Act Amendments of 1972), Federal pretreatment standards are designed to achieve two purposes: (1) To protect the operation of publicly owned works, and (2) to prevent the discharge of pollutants which pass through such

works inadequately treated. Section 128.131 of the proposed regulations is designed to achieve the purpose of protecting the operation of publicly owned treatment works. Section 128.133 is designed to prevent the discharge of pollutants which pass through publicly owned treatment works inadequately treated. Section 128.133 is based on the premise that pollutants which pass through publicly owned treatment works in amounts greater than would be permitted if the user discharged directly to the receiving waters are inadequately treated. On the basis of this premise, Section 128.133 requires users discharging incompatible pollutants to publicly owned treatment works to adopt best practical control technology currently available, as defined by the Administrator pursuant to section 304(b) of the Act, subject to a credit for the percentage of removal to which the publicly owned treatment works is committed in its permit. To insure the basis for allowing such credit, a commitment with respect to percentage removal of an industrial pollutant will be included in the permit at the request of a municipality where basis for such commitment can be demonstrated. (Federal Register, July 19, 1973)

In Marion industrial pretreatment is needed primarily for removal of toxic metals and color.

Alternatives for municipal waste treatment examined in the statement are as follow:

1. No action.
2. Upgrading the existing sewage treatment plant to adequately treat present flow and discharge to Corpening Creek.

3. Construction of new facility for discharge to North Muddy Creek.
4. Construction of new facility for discharge to Corpening Creek.
5. Construction of new facility for discharge to Catawba River.
6. Land disposal of treated wastewater.

EPA is proposing to participate in the funding of construction of a wastewater pumping station, interceptors, and treatment plant.

B. Proposed Action

1. Proposed Action

The city of Marion has applied to EPA for a grant to construct a new wastewater treatment plant with an initial capacity of three million gallons per day (mgd), interceptor sewers, force mains, and pumping stations.

Existing industrial and domestic flows are hydraulically and organically overloading the present wastewater facilities, thereby producing an inadequately treated effluent. Existing treatment consists of an influent screening and grit removal structure, a preaeration tank utilizing aspirator-type aerators, primary settling tanks with mechanical

collectors, trickling filters, secondary settling tanks, anaerobic sludge digestion facilities, sludge drying beds, and appurtenant pumping facilities.

2. Brief Financial Information

The filing of the application for the proposed wastewater facility is the culmination of efforts of the city of Marion, the State of North Carolina Department of Water and Air Resources, and EPA.

Total eligible project cost was originally estimated at \$3,253,000, with participation by city, State and Federal governments as follows:

City	\$406,624	12 1/2%	Marion is eligible for funds from the State of North Carolina
State	406,624	12 1/2%	
Federal	<u>2,439,750</u>	<u>75%</u>	
TOTAL	3,252,998	100%	

C. Social and Environmental Setting

1. Character of the Community

The city of Marion, with a population of 3,355, is located in McDowell County, North Carolina on the eastern edge of the Blue Ridge Mountain Range. Several

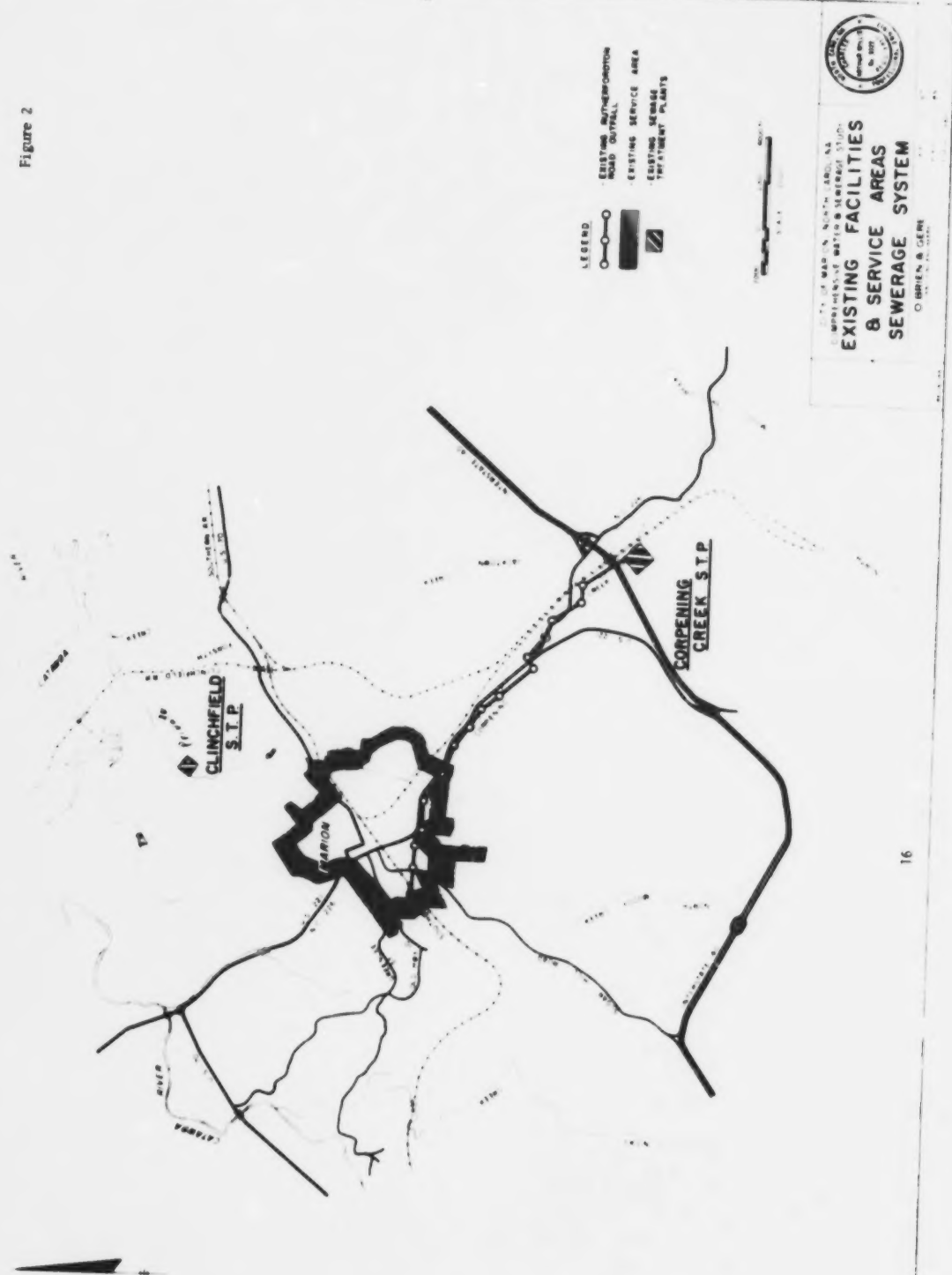
industries, including textile and furniture manufacturing, have located in Marion and unincorporated adjacent areas.

Service areas of the present sewer system are shown in Figure 2. Much of Marion is located along a ridge that divides the Catawba River drainage area from the smaller Corpening and Muddy Creek Basins to the south. Virtually all of the city has sewer service, and more than 50 percent of the generated sewage drains by gravity into the Corpening Creek Basin. The remainder is pumped to the basin.

Sewerage is also provided in East Marion to Washington Mills and to Marion Manufacturing Company and the surrounding homes. However, the latter collection system is owned by the Marion Manufacturing Company which pays the city for both water and sewer service. Service in West Marion is provided by the city of Marion to Cross Mills and some adjacent employee housing.

As previously noted, practically all of Marion's wastewater drains or is pumped to the Corpening Creek Basin. Sewer service to the city is provided through a system composed primarily of six- and eight-inch diameter sewers, which generally parallel

Figure 2



Corpening Creek and its tributaries. Two small sewage pumping stations have been provided in areas which could not be economically served by gravity sewers.

All wastewater received by the collection system is ultimately discharged into a line extending from the vicinity of Rutherfordton Road and Virginia Avenue to the sewage treatment plant; this line is actually two lines--one with a 15-inch diameter and one with a ten-inch diameter. Originally, the ten-inch diameter line served as an industrial waste line, and the 15-inch diameter line served for domestic sewage. However, in 1965 these lines were interconnected.

The capacity of the 15-inch line is 1,500 gallons per minute (gpm), and the capacity of the ten-inch line is 600 gpm, resulting in a combined capacity of approximately 2,100 gpm. Wastewaters averaging 1,140 gpm are introduced into the outfall, but peak rates may reach 2,350 gpm, resulting in surcharged or overflowing manholes.

General growth patterns are directly tied to industrial expansion of the Marion area. The population projection for the study area included in the city of Marion (Marion, East Marion, and West

Marion) is shown in Table 1. Projected wastewater flows for Marion are shown in Table 2.

Table 1
Population Projection

<u>Town</u>	<u>1971</u>	<u>1981</u>	<u>1991</u>
Marion	3355	3400	3500
East Marion	2097	2700	3200
West Marion	2068	3100	4100

Table 2
Projected Wastewater Flows
Marion Water and Sewerage Study

<u>Types of Wastewater</u>	<u>1971</u>	<u>1976</u>	<u>1981</u>	<u>1991</u>
Domestic mgd	0.48	0.60	0.85	1.08
Industrial mgd	1.28	2.00	2.00	2.00
Total mgd	1.76	2.60	3.50	5.50

(Table 1 and 2 were taken from the Comprehensive Water and Sewerage Study, O'Brien and Gere, Inc., August 1971.)

2. Local Geography

Marion is located on the eastern side of the Blue Ridge Mountains and is sometimes referred to as being in the area known as the Southern Mountains. The mean elevation of McDowell County is 1,500 feet. The average temperature for 1972 was 57.8°F, and the estimated total rainfall for the same year was 56 inches. Marion, the county seat, is located in the Ashland fault or sheer belt.

The major impounded body of water in the immediate area of Marion is Lake James, which is formed by three dams impounding waters of the Catawba and Linville Rivers. The lake is classified as both Class A-II and Class B waters. The former means Lake James can be used as a source of water supply for drinking, culinary or food-processing purposes and any other best usage requiring waters of lower quality; the latter means that the water is used for bathing. The construction of the dams forming Lake James began in 1916 and was completed in 1923. It has a surface area of 6,510 acres, a shoreline of 150 miles, and an average depth of 29 feet. The lake is used extensively for recreation by residents of a five-county area.

Fish population in the lake includes largemouth bass, bream, white bass, crappie, carp, and catfish. Because of its unique coolwater characteristics, the lake is also able to support what is termed a two-story fishery, i.e., trout, smallmouth bass, and walleyed pike in addition to the other fish mentioned above. The aquatic biota is typical of a clean water lake, including such flora as milfoil, myriophyllum, anacharis, and elodea, all sparsely distributed. Algal

population consists of diatoms and green algae. Flora and fauna are currently in a healthy state of balance.

The mountains and rolling terrain are heavily forested, basically with oak and hickory although there is some southern pine and white pine. Rhododendron and laurel are also abundant. This area supports game such as deer and squirrel with some bear and grouse in the back areas. The 7,500-acre Linville Gorge Wilderness Area is nearby.

As mentioned earlier, the area lies within the Ashland fault belt. Because of the low groundwater yield of wells in this belt and the present abundance of surface water, no public water supplies utilize groundwater.

II. ALTERNATIVES TO THE PROPOSED ACTION

The following alternatives have been considered and are further described and discussed later in this chapter. These alternatives and treatment methods described are based on the supposition that industrial wastewater discharged to the Marion Sewage Treatment Plant for treatment will be pretreated in accordance with July 19, 1973 Federal Register.

- A. No action, i.e., continue discharging inadequately treated wastewater to Corpening Creek.
- B. Upgrade the present sewage treatment facility to meet the water quality standards of the receiving stream with phosphorus removal and effluent aeration for present flow, allowing no increase in flow.
- C. Construct new facilities, a 3 mgd waste treatment plant, to meet the water quality standards of the receiving stream with nitrification, phosphorus removal and effluent aeration, discharge to North Muddy Creek.
- D. Construct new facilities, a 3 mgd waste treatment plant, to meet the water quality standards of the receiving stream with phosphorus removal and effluent aeration; discharge to Corpening Creek.
- E. Construct new facilities, a 3 mgd waste treatment plant, to meet the water quality standards of the receiving waters with nutrient removal; discharge to Catawba River.
- F. Land disposal by crop irrigation.

The following definitions are included for convenience and information.

Primary Treatment

Primary treatment is the removal of only that portion of the sewage which will settle in a reasonable period of time. The settleable portion of the sewage usually accounts for 30-40 percent of the biochemical oxygen demand (BOD). This type of treatment does not meet either the minimum requirements set by the State of North Carolina or EPA.

Secondary Treatment

Secondary treatment includes substantial removal of solids and dissolved organic matter contained in the sewage. This type treatment can be accomplished by either a biological system or a physical-chemical system. The level for removal for a secondary system as defined by the State of North Carolina is 85 percent BOD. It should be noted that higher levels of removal are possible. The EPA secondary treatment requirements are more specific. They are published in the August 17, 1973 Federal Register and can be found in Appendix A of this environmental impact statement.

The biological waste treatment system is most commonly used and is usually more reliable and economical than other methods of treatment. Biological systems are usually either trickling filter or activated sludge. Several modifications of activated sludge are in common use and are known as complete mix, contact stabilization, conventional, and extended air systems.

The selection of a particular type of secondary treatment system is influenced by many factors, the more significant of which are degree of removal required, land area available, capital cost, operating cost, operation and maintenance, type of waste being treated, and climate.

Advanced Waste Treatment

Nitrogen Removal

If there is ammonia in a waste effluent, an oxygen demand will be exerted on receiving waters as the ammonia is oxidized to nitrate. If dissolved oxygen in the receiving stream is the primary consideration, it may only be necessary to convert ammonia to a form which does not exert an oxygen demand. This process, known as nitrification, results in the conversion of

ammonia to nitrate. In cases where the nitrogen must be removed to prevent nuisance aquatic growths, denitrification must be accomplished. This process converts nitrogen forms to nitrogen gas, which is released into the atmosphere.

In addition to biological treatment, nitrogen removal is also possible through ammonia stripping, ion exchange or breakpoint chlorination. The choice used will depend in part on the level of removal required, climate, cost, by-products produced, and process dependability. Some nitrogen residual will remain regardless of the type of removal used.

Phosphorus Removal

Phosphorus, a nutrient for plant growth, is usually removed from wastewater by chemical precipitation. The choice of chemicals and type of system to accomplish phosphorus removal are influenced by level of removal required, cost, availability of chemicals, storage availability, size of plant, and safety. Some phosphorus residual will remain regardless of the type of chemical treatment selected.

Activated Carbon

In situations where low concentrations of dissolved organics are required, activated carbon may be used. Activated carbon also removes some types of color.

A. Do Nothing

The present plant, known as the Corpening Creek Sewage Treatment Plant, is hydraulically and organically overloaded. Although it was originally designed to treat 1.0 mgd of municipal and industrial wastewater, the plant is now receiving in excess of 1.5 mgd and is accomplishing a reduction of only 67 percent BOD-5 and 57 percent suspended solids (O'Brien and Gere, Inc., August 1971). This level of treatment is unacceptable to both the State of North Carolina Department of Water and Air Resources and EPA. The alternative of doing nothing would allow the existing system to operate at inadequate levels, thus violating the conditions of the State permit issued for the construction and operation of this facility and the minimum water quality standards assigned to the receiving stream. As the area grows, the increased flow to the plant will further decrease treatment efficiency and increase degradation of the receiving stream.

B. Upgrade the Existing Plant But Allowing No Increase in Flow

This alternative considers the concept of adding no additional flow but providing adequate treatment to meet water quality standards, including phosphorus removal and final effluent aeration. Plant modification, repair, and expansion of the present facility would be required. No new connections could be made, nor could the flow from any existing connection be allowed to increase.

The advantages of this alternative are as follow:

- The effluent discharge point would remain in the present location, and no new commitment of land would be needed.
- Adequate treatment would be provided prior to discharging.
- It would reduce existing pollution.

The disadvantages of this alternative are the following:

- This is a minimum project with no provision for future growth.
- It would encourage construction of small treatment facilities which probably would not be adequately staffed or operated and would endanger water quality at numerous locations.
- It would encourage the use of septic tanks to accommodate growth.

C. Discharge to North Muddy Creek

The analysis of the assimilative capacity of North Muddy Creek and the characteristics of wastewater from Marion indicate the following requirements for the treated effluent:

20 - 30 mg/l BOD
1 - 3 ppm phosphorus
5 ppm dissolved oxygen
1 mg/l ammonia

This alternative utilizes a treatment plant site adjacent to the present plant site and would require the construction of an extended outfall from the plant site to North Muddy Creek, a distance of approximately two miles.

The advantage of this alternative follows:

- North Muddy Creek has a greater assimilative capacity than Corpening Creek because of higher flow.

Following are the disadvantages of this alternative.

- Possible damage to Corpening Creek bed due to construction of the outfall.
- It would require commitment of land adjacent to present plant site.
- A sizeable commitment of resources would be needed to construct the outfall.

D. Discharge to Corpening Creek

Since the publication of the draft environmental impact statement, the Environmental Protection Agency has conducted further studies of the characteristics of the waste to be treated, the assimilative capacity of Corpening and Muddy Creeks, and the condition of the water of Lake James.

The Corpening Creek studies indicate that the steep stream gradient of about 20 feet per mile provides a high degree of reaeration below the present plant site. This stream characteristic should be used to advantage if at all possible as there are downstream water uses to protect.

The allowable BOD-5 for treated effluent should be 20 mg/l during critical low flow, warm weather periods (June - October) but higher amounts allowable during other times. An extended aeration plant with nitrification and phosphorus removal should have no difficulty meeting the 20 mg/l BOD-5 and 1 mg/l ammonia levels, considering the characteristics of Marion's wastewater. Phosphorus content of the effluent will be from 1-3 mg/l. As mentioned previously, pretreatment of industrial wastes will be required. The degree of

treatment and the assimilative capacity of the creek make this alternative feasible.

The advantage of this alternative is the following:

- The effluent discharge point would remain in the present location and would pose no threat to the Corpening Creek stream bed from construction of an outfall line.
- Water quality standards could be met.
- Outfall cost to North Muddy Creek would be eliminated.

The disadvantage of the alternative is the following:

- Commitment of land adjacent to the present plant site is necessary to accomodate the additional treatment facilities.

An estimate of costs of this alternative can be found in Table 3.

Corpening Creek is a tributary of North Muddy Creek which flows into the Catawba River and then to Lake Rhodhiss which is characterized as a warmwater reservoir at lower elevation containing only a warmwater fish population. The significance of this is that Rhodhiss can tolerate low dissolved oxygen in hypolimnetic water without serious effect on the predominant warmwater largemouth bass fishing. Rhodhiss is not a trout or smallmouth bass reservoir as is Lake James. Lake Rhodhiss is experiencing algal

growth problems and Marion is one of the nutrient sources. It can be stated that an expansion of Marion's present facility to 3 mgd without phosphorus removal would increase the overall phosphorus loading to Lake Rhodhiss. With the proposed phosphorus removal capabilities of the expanded plant, the present nutrient load will be reduced. At present, the principal algal growth problem areas are at locations on Rhodhiss which are influenced most by inadequately treated wastes from communities other than Marion. Nutrient removal techniques should be applied at these sources as soon as possible.

Table 3
Treatment Cost Estimate

	<u>Cost</u>
Phosphorus Capacity, Extended Aeration	\$1,700,000
Equipment for Phosphorus Removal (using alum)	200,000
24 Hour Detention Basin	80,000
<u>Post Aeration</u>	<u>15,000</u>
	1,995,000
Electrical	146,000
Outfall 9,000 Linear Feet of 21-inch Pipe @ \$24/lf	216,000
Manholes 30 @ \$500	15,000
3,200 lf of 12-inch Pipe @ \$12/lf	38,400
<u>Manholes 12 @ \$350</u>	<u>4,200</u>
(Outfall Ineligible <u>Cross Mill</u>)	<u>113,000</u>
	2,527,600

Table 3 cont.

<u>Engineering Cost</u>	<u>300,000</u>
	2,827,600
Legal, Fiscal	26,000
Administrative	26,000
<u>Contingencies</u>	<u>373,400</u>
TOTAL	3,253,000

E. Discharge to Catawba River

This alternative, with the addition of a phosphorus removal process and effluent aeration to the secondary treatment plant, was recommended in the draft environmental impact statement. Since the publication of that draft, EPA has studied the unique waters of Lake James and found substantial reason for preclusion of all possible waste discharges. While nuisance conditions have not occurred at Lake James, the EPA study of plankton levels and background nutrient concentrations indicate a potential for eutrophication problems if a 3 mgd or greater waste treatment facility were located upstream from Lake James. Calculations by EPA indicate that discharging an effluent with 3 mg/l phosphorus (this would be a plant with a phosphorus removal process) would increase the total phosphorus loading in Lake James by 39 percent.

Even if this alternative were built with the most sophisticated phosphorus removal process and yielded an effluent with less than 1 mg/l phosphorus, no assurance for preventing further degradation could be made. On the contrary, only reduction of the present phosphorus

loading and the introduction of no additional point sources to Lake James could assure this.

Sources of phosphorus into Lake James are estimated as follow:

Runoff-----	18%
Rainfall-----	3%
Point Source-----	79%

Obviously point source contributions are the prime candidate for control.

At the present time calculated loadings to Lake James are estimated at 0.9 - 1.7 gm/m²-yr.

Vollenwieder studied many lakes and found that the potential for a lake to become overenriched can be related to the nutrient loading. Dangerous and permissable levels of phosphorus for a Lake James-type lake are:

Permissible	0.3 gm/m ² -yr
Dangerous	0.8 gm/m ² -yr

(Vollenwieder Curves
Input-Output Models, 1973)

Thus it can be seen that Lake James is already dangerously overloaded.

The advantages of this alternative are as follow:

- Larger ultimate capacity would be possible if nutrients were not a problem.

- The plant discharges to a stream with higher minimum dilution flows.

The following are the disadvantages of this alternative.

- Even with nutrient removal, some additional nutrients will be contributed to Lake James and may result in accelerated eutrophication.
- It would require commitment of land for a new plant site.

F. Land Disposal by Crop Irrigation System

In the preliminary determination of a crop irrigation system, it will be assumed that pretreatment of the industrial wastes will eliminate any adverse substances from the waste flow. Preliminary design of the crop irrigation system for the city of Marion is based on the ability of a crop to utilize nitrogen from the applied wastewater. An average nitrogen concentration of 20 mg/l will be assumed for the Marion wastewater. The amount of nitrogen removal by crops varies widely among individual crops and with the growing season. Based on year-round cropping, a nitrogen application rate of 300 pound/acre/year will be assumed. The design flow for 1991 is 6 mgd. Based on the stated assumptions and known data, the estimated land required for a crop irrigation land disposal system is 1,116

acres. This figure does not include a buffer zone or effluent storage. The area required by the buffer zone is determined by the configuration of the land disposal site. The size of the storage facilities would be calculated during detailed design of any land disposal system.

Two classes of land could be used for a conventional crop irrigation system: 1) raw land in its natural state or 2) developed land already used for agriculture. To utilize a conventional crop irrigation system on raw land, the area's native vegetation must be removed and replaced with selected crops.

Another possibility for disposal sites is utilization of existing agricultural areas. The use of such lands would help replace the use of commercial fertilizers with the nutrients present in a wastewater treatment plant effluent. This method of effluent disposal requires the governing body in charge of wastewater treatment and effluent disposal to negotiate a contract with each farmer or to purchase the needed land from individual farmers. A contract with each farmer would need to incorporate conditions such that the farmer agrees to accept a certain amount of

effluent within a specific time frame, and agrees to grow and manage designated crops to ensure proper utilization of the nutrients. To preclude possible health problems from consumption of the effluent-irrigated crops, the designated crops would be limited to non-food crops (for humans).

The advantages of this alternative are as follow:

- It eliminates stream pollution.
- It returns water to the groundwater system.

The disadvantages of this alternative follow:

- The large quantity of land required.
- Disposal depends on seasonal rainfall and other climatological variables.
- A large storage capacity for treated wastewater is required.
- The crop must be harvested and used to prevent nutrient return to the water.

Any land disposal system will increase the amount of dissolved chemicals in the natural groundwater or surface inland waters. This increase will be determined in part by the source of applied wastewater.

The changes caused by the removal of the native vegetation from undeveloped land will not be reversible except over a very long period. Once an area has been

modified for land disposal, it will be difficult to restore it to its original condition. If enough agricultural lands for a crop irrigation system cannot be found locally, the resources committed to transport the effluent considerable distances to available agricultural lands would be irretrievable, particularly in the case of Marion, a small city with an increasing management tasks.

G. Selection of Alternative

In choosing the alternative for this project, the prime consideration is the attainment and protection of water quality standards. Included here are the protection of Lake James, the attaining and maintaining of water quality standards in the Muddy Creek Basin, and the lessening of the nutrient input to Lake Rhodhiss. Ultimately, the health and welfare of the people of Marion, McDowell County, and North Carolina will be enhanced.

Alternative A continues the existing problem -- that is, continues the discharge of inadequately treated wastewater. This endangers the health and welfare of the people of Marion and McDowell County and

offers no solution to the problem. Thus this alternative is rejected.

A marginal correction of the problem is sought with Alternative B; but no provision is made for increased loads or future growth of the Marion area. This alternative is also rejected.

Alternative C is an acceptable alternative. Selection of this alternative would require the building of an outfall to North Muddy Creek if land adjacent to the present plant site is utilized for the new plant site. The outfall would make it possible to take advantage of the higher dilution rate offered by North Muddy Creek. It is a feasible and viable alternative.

Alternative D is also an acceptable alternative. With Corpening Creek as the receiving stream, the dilution rate is lower than in Alternative C, but the reaeration rate is greater and can be advantageously used. The use of additional assimilative capacity in Corpening Creek provides an added protective factor for Lake Rhodhiss not possible with Alternative C.

With the potential accelerated eutrophication problem identified in Lake James, Alternative E is

rejected. Irrespective of costs, it is EPA's strong position that if effluent were discharged to the Catawba River, even with phosphorus removal techniques applied, the nutrients remaining in the effluent, combined with the nutrients contained in urban and rural runoff, would create an unacceptable risk situation. The opportunity to protect an important water resource (in this case Lake James) through total elimination of a potential waste discharge is seldom possible. Rejection of Alternative E provides this opportunity but still allows water quality standards to be met elsewhere.

Alternate F would be extremely difficult to manage. As treated effluent volume increases, there is an ever increasing need for land area and markets for the crop. Land acquisition costs and market transportation costs could be prohibitive. This alternative is rejected.

Summary

It is the position and recommendation of this statement that there is no sound technical or economical justification for a Lake James Watershed discharge in preference to discharge to the Muddy Creek

Basin. It is further recommended that the Corpening Creek discharge point be chosen in order to achieve the following:

Take advantage of the high assimilative capacity of this stream.

Avoid unnecessary costs of building an extended outfall line to North Muddy Creek and to further avoid irreparable physical damage to the Corpening Creek streambed. In addition, with proper wastewater treatment, including phosphorus removal, the protection of Lake Rhodhiss can be enhanced and practically assured with respect to Marion's waste discharge.

III. DESCRIPTION OF PROPOSED WASTEWATER FACILITIES

The proposed wastewater facilities consist of a 3 mgd extended aeration treatment plant located adjacent to the present treatment plant site, with discharge of treated effluent to Corpening Creek.

The allowable BOD-5 for treated effluent should be 10-15 mg/l during critical low flow, warm weather periods but higher amounts allowable during other times. An extended aeration plant with nitrification and phosphorus removal should have no difficulty meeting the 10-15 mg/l BOD and 1 mg/l ammonia levels considering the characteristics of Marion's waste. Studies conducted by the North Carolina Office of Water and Air Resources indicate that a 3 mgd discharge to Corpening Creek should be limited to a BOD-5 of 10-15 mg/l and that a 6 mgd discharge should be limited to a BOD-5 of 5-10 mg/l.

This impact statement is primarily concerned with Marion's need for a 3 mgd treatment facility. A larger 6 mgd facility may or may not be the subject of a future impact statement. The design criteria for an expanded plant should be based on careful evaluation of the receiving water impact of the 3 mgd facility. The significance of pretreatment of industrial wastes and the current treatment requirements being imposed by EPA would also be a major design consideration. Phosphorus content of the effluent from the 3 mgd plant will be from 1-3 mg/l, and ammonia concentration will not exceed 1 mg/l. As mentioned previously, pretreatment of industrial wastes will be required. The effluent will be disinfected with chlorine to reduce coliform bacterial counts to 200/100 ml or less on the average. Prior to discharge to the receiving stream, the effluent will be aerated to remove any free chlorine and to provide the desired 5 mg/l dissolved oxygen level. The plant will be designed to accomodate expansion to a 6 mgd capacity should the need arise in the future.

IV. ENVIRONMENTAL EFFECTS OF PROPOSED ACTION

A. Corpening Creek Plant Site

1. Beneficial Impact

Completion of construction and operation of the proposed sewage treatment plant at Marion, North Carolina will have an immediate beneficial effect on Corpening and Muddy Creeks. Elimination of the present discharge of inadequately treated wastes will enhance water quality. In addition, the nutrient (carbon, nitrogen, and phosphorus) load to Lake Rhodhiss would be reduced.

2. Adverse Impact

During construction of interceptor sewers and force mains, it should be expected that traffic flow in the city would be impaired. It is also likely that during rains, erosion would occur wherever ditching and other earth-moving activities take place. Erosion and siltation will be minimized during construction by proper control methods. Trucks and heavy equipment might cause damage to streets and roads, especially those nearest the plant site.

The proposed Corpening Creek Sewage Treatment Plant will have operational safeguards. Standby pumps, air

compressors, valves, and electrical power, etc., will assure a "fail-safe" operation. The BOD of the effluent will be sufficiently low and the dissolved oxygen sufficiently high that DO levels in the receiving stream will not be depressed below the 5.0 mg/l level during the 7-day, 10-year low flow periods. The effluent will be disinfected prior to discharge.

Presently, dye wastes from the several textile mills color the effluent, and these wastes contain measurable quantities of toxic substances such as chrome and zinc. The discharge of toxic materials and possible metals buildup in the stream biota would be damaging; however, exclusion of such materials from the sewer system would prevent undesirable adverse effects on the biota. For this reason, industrial pretreatment will be required to remove any waste components that are not compatible with the treatment of municipal wastewater and to prevent subsequent water quality standards violations.

The Corpening-Muddy Creek system is tributary to the Catawba River and ultimately to Lake Rhodhiss. However, over 30 miles of stream exist between Marion's discharge and this lake.

V. ADVERSE IMPACTS WHICH CANNOT BE AVOIDED

A. Visual

The wastewater treatment plant will be typical in design and readily identified as such. People who are repelled by anything associated with sewage might consider the plant an aesthetic eyesore.

It will be necessary in some instances to obtain rights-of-way for sewers, and to clear land to permit construction of sewers. Considering the frequent rains in the Marion area, it is certain that there will be soil erosion and subsequent but temporary muddying of streams. However, the contractor, following good construction practices, must back-fill, seed or sod, and restore the property as soon as practicable, thus minimizing siltation. Topsoil, trees, and shrubs that are removed will be replaced.

B. Traffic

During construction, traffic will be impeded where streets are torn up for sewer construction. The heavy movement of equipment and materials that will affect traffic during construction will be reduced to only occasional trips to the area by suppliers of chemicals and other materials once the plant is in operation.

However, should the city of Marion agree to receive and treat septic tank wastes from private operators there would be daily trips by tank trucks to the plant.

C. Noise

The noise that will occur during construction of sewers, lift stations, and the plant itself will only be temporary. Low-level noises will be created by the plant, but they will not be of nuisance proportion at the edge of the plant site.

D. Air Quality

Construction of the proposed project could cause some lowering of air quality by wind-blown soil and by open burning of brush. However, this can be controlled. After completion of the project, there would be no lowering of air quality because of the operation of the plant. Odor is not expected to be a problem at this plant. The system will be maintained in an aerobic state at all times, which will prevent the formation of noxious odors.

E. Sludge Disposal

Sludge, the solid material removed during the treatment process, will be concentrated after separation from the liquid phase. Sludge has both

organic and nutrient content which sometimes make it useful as a soil builder. EPA and the State of North Carolina will require that adequate sludge disposal provisions are established and implemented. These will be compatible with Federal, State and local policies regulating solid waste disposal. Presently, sludge is disposed of by land spreading; sludge generated by the proposed plant will be spread on the treatment plant site or placed in a sanitary landfill.

VI. RELATIONSHIP BETWEEN SHORT-TERM USES OF THE ENVIRONMENT
AND LONG-TERM MAINTENANCE OR ENHANCEMENT OF THE
ENVIRONMENT

The balance between the objectives and purposes of this project and any adverse long-term effects on the environment as a consequence of the project must be favorable in order for the project to be justified.

The objective of the project is to remove the inadequately treated sewage from Corpening Creek in order to meet water quality standards and to provide proper wastewater treatment to protect the health and welfare of citizens in the vicinity.

In considering the population and water use forecast and the hydraulic design capacity of the proposed treatment plant, it is clearly demonstrated that the project as proposed is not a short-term solution. The option of a larger capacity treatment plant at a recommended site is not foreclosed. Adequate plant expansion area is available on the proposed plant site should a higher capacity be determined necessary. The treatment process and equipment are compatible with expansion.

Location of interceptor sewers always encourages development of some type; however, with proper local

land use controls and good zoning practices,
undesirable development can be avoided.

At the present time, McDowell County does not have
any zoning ordinances or land use regulations.
However, the city of Marion does have an ordinance for
zoning which took effect April 1, 1974.

VII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Certain commitments of resources are inevitable when construction takes place and operation begins.

Materials used in the construction of the treatment plant and sewers are irretrievable. The land area where building takes place is also irreversibly committed unless the treatment plant is abandoned at some future date. Sewer rights-of-way must be maintained to facilitate maintenance; however, the acreage is slight and becomes negligible when compared to the increase in water quality and consequent protection of public health.

In the case of plant breakdown, there could be adverse effects on receiving waters. These effects would be irreversible until the plant becomes operational. The possibility of complete failure is very small because multiple units and standby power are incorporated into the design. However, sound operation and maintenance practices will further minimize this possibility.

VIII. PUBLIC PARTICIPATION

There has been a great deal of public interest generated by this project. The Environmental Protection Agency and the North Carolina Department of Natural and Economic Resources were petitioned for an EIS, and this petition can be found in Appendix B.

In addition, interest in advanced waste treatment was expressed, and the general concern for Lake James was exhibited. Copies of public correspondence received by EPA relative to the project are included in Appendix C.

A public hearing to allow all interested citizens to comment on the draft EIS was held in Marion, North Carolina on July 25, 1973. The major theme of the participants was concern for the water quality of Lake James when the effluent from the Marion Sewage Treatment Plant entered it via the Catawba River. The transcript of the hearing can be found in Appendix D.

Under normal EPA environmental impact statement procedure, comments received on draft statements (Appendix E) are individually considered and responses to these comments are specific.

Because many of the comments received were intended to record the commenter's concurrence or opposition to the project and contained no other specific comment, these comments have been made a part of the final EIS.

A list of such commenters follows:

Mr. & Mrs. W. W. Jones
Nancy R. McClung
Mr. & Mrs. John L. Whisnant
Gordon C. Blank, Pres., Western Piedmont Community College
Russell J. Burnett, Owner-Operator, Burnetts Landing
Howard Hawkins
Douglas Golightly
Mr. & Mrs. Ben Williams
Mr. & Mrs. Harry Stone
Wayne W. Hitt
Mrs. J. O. Elliott
Cameron H. Keels, Jr., Pres., Trout Unlimited - N. C.
W. R. Swearngan, Ex. Director, McDowell Chamber of
Commerce, Inc.
Ronald V. Shuping
Mr. & Mrs. Robert M. Cloer
Mr. & Mrs. Ralph Byrd

Other letters received asking specific questions about the statement are handled under the following normal response procedure.

John M. Seidl, Deputy Assistant Secretary of the Interior

Comment:

No vicinity map of the area is included.

Response:

The map has been included in the final statement.

Comment:

The Federal Power Commission is not included in the list of Federal agencies to review the draft statement; any changes proposed for Lake James would have to be approved by the FPC as they must conform to existing recreation plans by the Duke Power Company, the owner and operator of the lake. Both FPC and Duke Power should be consulted about the statement.

Response:

The Federal Power Commission was forwarded a copy of the draft environmental impact statement and informed EPA that since the discharge point, as was proposed in the draft EIS, was not into Lake James but into the Catawba above Lake James they had no comments. Duke Power Company was also forwarded a copy of the draft EIS, and their comments are included in this section.

Comment:

The Department of the Interior suggests that the recreational use of Lake James be emphasized.

Response:

EPA concurs with this comment.

Comment:

Although there is little data on the geology of the area of the proposed wastewater treatment plant in the draft, any environmental problems that may result from geologic conditions should be recognizable from pre-construction investigations and should be within the range of accepted engineering practice.

Response:

EPA concurs with this statement.

Comment:

Construction of the waste treatment plant on the Catawba River above Lake James is a potential hazard to the recreational use of the lake by the addition of nutrients from the treated effluent and the impact needs to be fully addressed in the final statement.

Response:

Further study of Lake James was conducted, and EPA has recommended that the treatment plant not discharge to the Catawba River.

Comment:

The Catawba River plant site needs additional study concerning the addition of nutrients to Lake James.

Response:

Discharge from the sewage treatment plant is not into the Catawba River; therefore, inclusion of such a study is not relevant.

Comment:

The proposed action will not adversely affect any existing, proposed, or known potential sites eligible for the National Landmarks Program or any units of the National Park System.

Response:

EPA concurs with this statement.

Comment:

The Historic Preservation Officer for the State of North Carolina should be consulted concerning the effect of the project on any properties in the process of nomination to the National Register; if no such properties will be affected, a copy of the reply enclosed in the final statement should be sufficient.

Response:

The above-mentioned reply is included in this section.

•Comment:

If archeological or cultural remains are found that will be affected by the project, the final statement should describe them, assess the project impacts,

describe any appropriate mitigating measures developed, and account for any unavoidable adverse effects and irreversible or irretrievable commitments of cultural resources that may occur.

Response:

After initiating a contact in North Carolina about the possibility of archeological remains that might be found at the various plant sites, EPA did not hear further; we assumed that no significant archeological remains were in the site areas.

Comment:

The Department of the Interior does not believe that adequate evaluation has been given to the five alternatives.

Response:

These alternatives have been reevaluated and the treatment plant site and discharge location have been changed.

Comment:

The effects of the proposed waste treatment plant effluent on fish, recreation, and water resources of the Catawba River and Lake James should be fully discussed.

Response:

The text has been expanded and site changed.

Comment:

Project-caused impacts on fish and wildlife resulting from habitat destruction or alteration should be discussed.

Response:

This is not relevant because of the plant site change.

Comment:

As nutrients cannot be totally removed, the buildup and eventual aquatic weed growth in Lake James should be discussed.

Response:

Because of the plant site change this is not relevant.

Comment:

On page 37, third paragraph, the word "marine" should be changed to "aquatic."

Response:

EPA concurs with this statement.

Wallace Kaufman, President, the Conservation Council of N.C.

Comment:

The draft statement does not adequately evaluate the alternatives or the citizen reaction to the alternative

selected by EPA; neither does it consider a land use plan for this area.

Response:

Discharge to Corpening Creek has been recommended by EPA for the protection of Lake James. In the public hearing testimony asking for consideration of another discharge point was given. A zoning ordinance has been developed by the city of Marion; this is the first step to effective land use, and, hopefully, zoning practices will be closely followed by the residents.

R. Douglas Taylor, Executive Director, Western Piedmont Council of Governments

Comment:

There is no mention in the statement of the possible loss in property value along Lake James.

Response:

Since EPA has recommended that discharge be into Corpening Creek, this question becomes moot.

Comment:

There is no guarantee of the long-term operational efficiency of the treatment plant. Marion has not displayed financial capability of keeping the plant operating at maximum efficiency.

Response:

Marion must apply for a discharge permit under the 1972 Federal Water Pollution Control Act Amendments. This permit will set forth conditions of operation, and the permittee will be held liable for meeting the permit conditions. In addition, EPA conducts periodic operations and maintenance inspections on federally-funded sewage treatment plants. These inspections aid in proper plant operation and protect the investment of public monies.

Comment:

The statement does not contain enough technical documentation on industrial toxins, phosphates, or acids that will enter into and be discharged from the plant.

Response:

In addition to domestic sewage, the wastewater to be treated will have the characteristics indicated in the following table. EPA's regulations on pollutants require the removal of all wastes detrimental to the treatment process prior to discharge to the public system.

Wastewater Characteristics

Textile Industry

<u>Characteristics</u>	<u>Wool</u>	<u>Cotton & Synthetics</u>
Industrial Operation	Year-round (batch)	Year-round (batch)
Flow	INTERMITTENT - Continuous (1)	INTERMITTENT - Continuous (1)
BOD	HIGH	Average-HIGH
TSS	HIGH	Low-AVERAGE
TDS	HIGH	HIGH
COD	HIGH	Average-HIGH
Grit	PRESENT	Absent
Cyanide	Absent	Absent
Chlorine Demand	HIGH	HIGH
pH	BASIC	BASIC
Color	HIGH	HIGH
Turbidity	High	High
Explosives	Absent	Absent
Dissolves Gases	Absent	Absent
Detergents	PRESENT	PRESENT
Foaming	Present	Present
Heavy Metals	PRESENT	PRESENT
Colloidal Solids	Present	Present
Volatile Organics	Absent	Absent
Pesticides	Absent	Absent
Phosphorus	PRESENT	PRESENT
Nitrogen	DEFICIENT	DEFICIENT
Temperature	Normal-High (2)	Normal-High (2)
Phenol	Absent (3)	Absent (3)
Sulfides	Absent	Absent
Oil and Grease	HIGH (5)	Absent-Present (4)
Coliform (Fecal)	PRESENT	Absent

1 Wastewater flow characterized by an intermittent pattern over the day.

2 Temperature equal to or higher than domestic wastewater. May affect design but not harmful to joint temperature processes.

Wastewater Characteristics cont.

- 3 Phenol may be present in dye carriers.
- 4 Oil present in wastewaters from synthetic textiles only.
- 5 Wool processing wastewaters contain high concentration of animal grease.

NOTE: Characteristics which may require pretreatment or are significant to joint treatment design are shown in UPPER CASE.

Comment:

There is no cost analysis or breakdown of costs included.

Response:

Accurate costs estimates and breakdown at this time, without plans and specification, are not possible; estimated treatment plant costs are included where applicable.

Comment:

There is no statement of the impact on aquatic life, wildlife, or water contact sports.

Response:

With EPA recommending discharging to Corpening Creek, the impact on aquatic life and wildlife will be beneficial; that is, water quality will improve. There are few known cases of water contact sports occurring in Corpening Creek.

Comment:

Intangible benefits of preserving Lake James in an unpolluted state are not treated in the impact statement (long-term intangibles vs. initial costs).

Response:

Long-term intangibles by definition are not comparable to initial costs or dollar amounts.

Comment:

At the public hearing, a letter from Dr. Weiss of the University of North Carolina at Chapel Hill was read. The letter mentioned a study that was conducted in 1970 by UNC-CH on the effects of secondary and tertiary treatment of sewage on Lake James. The study recommended that Marion not construct a sewerage treatment plant on waters leading to Lake James.

Response:

Dr. Weiss studied the waters of Lake James for a comparative study on the potential impact that a proposed phosphate substitute in detergents might have on surface waters. This lake was chosen because it had a low nutrient level while that of the other lakes involved was higher. His tests indicated that algal growth is currently phosphorus-limited. As such, tertiary treatment (phosphorus removal) was suggested

to protect Lake James. EPA, subsequent to the draft statement and the public hearing, changed the discharge location to Corpening Creek with secondary treatment.

David Poteat

Comment:

How many sewer treatment plants are already draining into the river?

Response:

See the table entitled Sewage Treatment Plants on the Catawba River System on the following page.

Comment:

How many towns or cities throughout North and South Carolina use the River as a water supply?

Response:

See the table entitled Water Supply Systems - Catawba River Basin.

Sewage Treatment Plants on the Catawba River System

<u>COMMUNITY</u>	<u>FACILITY</u>	<u>RECEIVING WATERS</u>
North Carolina Catawba River Basin		
Belmont City	Municipal Plant	Catawba River
Belmont City*	Eagle Yarn Mill	South Fork Catawba
Burke County*	A. P. Causby Ind.	Catawba River
Catawba County*	Duke Power - Marsh #1	Lake Norman, Catawba R
Catawba County*	Duke Power - Marsh #2	Lake Norman, Catawba R.
Catawba County*	Dooley Sand Co.	Catawba River
Cramerton Town	Municipal Plant	South Fork Catawba River
Gaston County*	Duke Power - Rivbd	Catawba River
Gaston County*	Pharr Yarns	South Fork Catawba River
Gaston County*	Harden Manuf. Co	South Fork Catawba River
Gaston County*	South-Tex Chem.	Catawba River
Gaston County*	Harshaw Chem.	South Fork Catawba River
Gaston County*	Sonoco Products	South Fork Catawba River
Gaston County*	Burlington Ind.	South Fork Catawba River
Gaston County*	Duke Power - Allen	Catawba River
Gastonia	Catawba Ck. Plant	Catawba River
Hickory	Northern Plant	Catawba River
High Shoals Tn*	McNeil Spin Co.	South Fork Catawba River
Lincoln County*	Duke Power-Cowan	Catawba River
Lincolnton*	Roseland Heights	South Fork Catawba R.
Lowell	Municipal Plant	South Fork Catawba R.
Mcadenville	Municipal Plant	South Fork Catawba R.
McDowell County*	Travenol Lab.	North Fork Catawba R.
McDowell County*	Old Fort Finishing Company	Catawba River
Mecklenburg Co.	Lake Wylie Park	Catawba River
Mecklenburg Co.	Lake Wylie	Lake Wylie
Mecklenburg Co.*	Duke Power-McGuire	Catawba River
Mecklenburg Co.*	Duke Power-McGuire	Catawba River
Mecklenburg Co.*	Duke Power-McGuire	Catawba River
Morganton	Catawba River Plant	Catawba River
Morganton*	A.P. Causby Sand	Catawba River
Mount Holly	Aeration Plant	Catawba River

Mount Holly	Filter Plant	Catawba River
Rhodhiss	Municipal Plt.	Catawba River
Spencer Mountain Tn.	Municipal Plt.	South Fork Catawba R.

South Carolina Catawba River Basin

Berkeley County	Lower Berkeley	Cooper River
Berkeley County	Low Co. Girl Scouts	Cooper River
Bushy Park*	Baychem Corp. - Vero	Cooper River
Camden	Oxidation Ponds	Wateree River
Catawba	Cedar Valley Mobile Home	Catawba River
Catawba*	Bowaters	Catawba River
Charleston*	W. R. Grase & Company	Ditch to Cooper R.
Clarendon	Holiday Inn Travel Park	Lake Marion
Clover	River Hills Plat.	Lake Wylie
Clover*	Hungry Fisherman	Lake Wylie
Columbia	Hogart Manuf. Co.	Wateree River
Cross	Cross High School	Ditch to Lake Moultrie
Eastover*	S.C. Electricity and Gas	Wateree River
Fort Mill	Jackson Park Pt.	Catawba River
Goose Creek*	SCE&E-A. William	Cooper River
Great Falls		Catawba River
Great Falls*	Acme Name Plate	Fishing Creek Lake
Jamestown*	Santee Wool Combers	Santee River
Lancaster*	Lehigh Lancaster	Catawba River
Lancaster*	Grace Bleachery	Catawba River
Moncks Corner		Cooper River
Moncks Corner		Cooper River
Moncks Corner	Berkley Country Club	Ditch to Cooper R.
Mt. Pleasant	Parrish Place S/D	Tidal Creek to Cooper R.
North Charleston	Elgin Street Pt.	Cooper River
North Charleston	Elgin Street Pt. Interceptors	Cooper River
North Charleston	Elgin Street Pt.	Cooper River
North Charleston*	Westvaco Inc.	Cooper River
Pinopolis	Landopines S/D	Moultrie Lake
Rock Hill*	Celanese Fibers	Catawba River
Russellville*	Georgia Pacific	Branch to Cooper R.

Saint Stephens		Santee River
Saint Stephens	MacDonald Dougals	Ditch to Santee R.
Santee		Lake Marion
Santee	Santee State Park	Lake Marion
Santee	Shawnee Campgrounds	Lake Marion
Santee	Santee State Park	Lake Marion
Santee	Santee State Park	Lake Marion
Santee	Santee PSD	Lake Marion
York County	Tega Cay S/D -	Lake Wylie
	Area 2	
York County	Tega Cay S/D -	Lake Wylie
	Area 3	

* Industry

North Carolina Catawba River Basin
Domestic Waste - 13
Industrial Waste - 22

South Carolina Catawba River Basin
Catawba River
Domestic Waste - 6
Industrial Waste - 8
Wateree River
Domestic Waste - 9
Industrial Waste - 4
Cooper River
Domestic Waste - 9
Industrial Waste - 5
Santee River
Domestic Waste - 2
Industrial Waste - 1
Total in South Carolina
Domestic Waste - 26
Industrial Waste - 18

TOTAL
Domestic Waste - 39
Industrial Waste - 40

Note: In South Carolina the Catawba river changes names several times. The name changes from Catawba to

Wateree about Wateree Lake; then in Lake Moultrie
it splits into the Cooper River and the Santee River.

Water Supply Systems - Catawba River Basin

North Carolina

<u>Town</u>	<u>Water Supply</u>
Belmont	Catawba River
Charlotte	Catawba River
Cherryville	Catawba River
Davidson	Catawba River
Gastonia	Catawba River
Granite Falls	Catawba River
Hickory	Catawba River
Huntersville	Catawba River
Longview	Catawba River
Mooresville	Catawba River
Morganton	Catawba River
Mount Holly	Catawba River
Valdese	Catawba River

South Carolina

Lancaster	Catawba River
Rock Hill	Catawba River
Fort Mill	Catawba River
Great Falls Mitford District	Catawba River
Fort Lawn	Catawba River
Chester (2)	Catawba River
Fort Mill Riverview District	Catawba River
Great Falls	Catawba River
Lancaster (Land Frozen Foods)*	Catawba River
Rock Hill (Sowells Meat Market)*	Catawba River
Catawba	Catawba River
Rock Hill (Celanese Fibers)*	Catawba River
Grace Bleachery*	Catawba River
Fort Mill (Springs Fort Mill)*	Catawba River

Columbia
Camden (E.I. DuPont Co.)*
Cola (Sceng. Williams)*

Wateree River
Wateree River
Cooper River

North Carolina Catawba River Basin - 13 water supply systems

South Carolina Catawba River Basin - 18 water supply systems
(6 are industries)

TOTAL - 31 water supply systems

* Industry

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- U.S. Department of Health, Education and Welfare, 1962. Public Health Service Drinking Water Standards. Environmental Control Administration.
- Vollenwider, Richard A., 1973, Input-Output Models, NS, Canada Centre for Inland Lakes, Burlington, Ontario.

APPENDICES

APPENDIX A
SECONDARY TREATMENT INFORMATION
FEDERAL REGISTER
AUGUST 17, 1973

federal register

FRIDAY, AUGUST 17, 1973
WASHINGTON, D.C.

Volume 38 ■ Number 159

PART II



ENVIRONMENTAL PROTECTION AGENCY

■

WATER PROGRAMS

Secondary Treatment Information

RULES AND REGULATIONS

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY

SUBCHAPTER D—WATER PROGRAMS

PART 133—SECONDARY TREATMENT
INFORMATION

On April 30, 1973, notice was published in the *FEDERAL REGISTER* that the Environmental Protection Agency was proposing information on secondary treatment pursuant to section 304(d)(1) of the Federal Water Pollution Control Act Amendments of 1972 (the Act). Reference should be made to the preamble of the proposed rulemaking for a description of the purposes and intended use of the regulation.

Written comments on the proposed rulemaking were invited and received from interested parties. The Environmental Protection Agency has carefully considered all comments received. All written comments are on file with the Agency.

The regulation has been reorganized and rewritten to improve clarity. Major changes that were made as a result of comments received are summarized below:

(a) The terms "1-week" and "1-month" as used in § 133.102 (a) and (b) of the proposed rulemaking have been changed to 7 consecutive days and 30 consecutive days respectively (See § 133.102 (a), (b), and (c)).

(b) Some comments indicated that the proposed rulemaking appeared to require 85 percent removal of biochemical oxygen demand and suspended solids only in cases when a treatment works would treat a substantial portion of extremely high strength industrial waste (See § 133.102(g) of the proposed rulemaking). The intent was that in no case should the percentage removal of biochemical oxygen demand and suspended solids in a 30 day period be less than 85 percent. This has been clarified in the regulation. In addition, it has been expressed as percent remaining rather than percent removal calculated using the arithmetic means of the values for influent and effluent samples collected in a 30 day period (See § 133.102(a) and (b)).

(c) Comments were made as to the difficulty of achieving 85 percent removal of biochemical oxygen demand and suspended solids during wet weather for treatment works receiving flows from combined sewer systems. Recognizing this, a paragraph was added which will allow waiver or adjustment of that requirement on a case-by-case basis (See § 133.103(a)).

(d) The definition of a 24-hour composite sample (See § 133.102(c) of the proposed rulemaking) was deleted from the regulation. The sampling requirements for publicly owned treatment works will be established in guidelines issued pursuant to sections 304(g) and 402 of the Act.

(e) In § 133.103 of the proposed rulemaking, it was recognized that secondary

treatment processes are subject to upsets over which little or no control may be exercised. This provision has been deleted. It is no longer considered necessary in this regulation since procedures for notice and review of upset incidents will be included in discharge permits issued pursuant to section 402 of the Act.

(f) Paragraph (f) of § 133.102 of the proposed rulemaking, which relates to treatment works which receive substantial portions of high strength industrial wastes, has been rewritten for clarity. In addition, a provision has been added which limits the use of the upwards adjustment provision to only those cases in which the flow or loading from an industry category exceeds 10 percent of the design flow or loading of the treatment works. This intended to reduce or eliminate the administrative burden which would be involved in making insignificant adjustments in the biochemical oxygen demand and suspended solids criteria (See § 133.103(b)).

The major comments for which changes were not made are discussed below:

(a) Comments were received which recommended that the regulation be written to allow effluent limitations to be based on the treatment necessary to meet water quality standards. No change has been made in the regulations because the Act and its legislative history clearly show that the regulation is to be based on the capabilities of secondary treatment technology and not ambient water quality effects.

(b) A number of comments were received which pointed out that waste stabilization ponds alone are not generally capable of achieving the proposed effluent quality in terms of suspended solids and fecal coliform bacteria. A few commenters expressed the opposite view. The Agency is of the opinion that with proper design (including solids separation processes and disinfection in some cases) and operation, the level of effluent quality specified can be achieved with waste stabilization ponds. A technical bulletin will be published in the near future which will provide guidance on the design and operation of waste stabilization ponds.

(c) Disinfection must be employed in order to achieve the fecal coliform bacteria levels specified. A few commenters argued that disinfectant is not a secondary treatment process and therefore the fecal coliform bacteria requirements should be deleted. No changes were made because disinfection is considered by the Agency to be an important element of secondary treatment which is necessary for protection of public health (See § 133.102(c)).

Effective date. These regulations shall become effective on August 17, 1973.

JOHN QUARLES,
Acting Administrator

AUGUST 14, 1973.

Chapter I of title 40 of the Code of Federal Regulations is amended by adding a new Part 133 as follows:

Sec.
133.100 Purpose.
133.101 Authority.
133.102 Secondary treatment.
133.103 Special considerations.
133.104 Sampling and test procedures.

AUTHORITY: Secs. 304(i)(1), 301(b)(1)(B), Federal Water Pollution Control Act Amendments, 1972, P.L. 92-500.

§ 133.100 Purpose.

This part provides information on the level of effluent quality attainable through the application of secondary treatment.

§ 133.101 Authority.

The information contained in this Part is provided pursuant to sections 304(d)(1) and 301(b)(1)(B) of the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500 (the Act).

§ 133.102 Secondary treatment.

The following paragraphs describe the minimum level of effluent quality attainable by secondary treatment in terms of the parameters biochemical oxygen demand, suspended solids, fecal coliform bacteria and pH. All requirements for each parameter shall be achieved except as provided for in § 133.103.

(a) **Biochemical oxygen demand (Ave-day).** (1) The arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 30 milligrams per liter.

(2) The arithmetic mean of the values for effluent samples collected in a period of seven consecutive days shall not exceed 45 milligrams per liter.

(3) The arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period (85 percent removal).

(b) **Suspended solids.** (1) The arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 30 milligrams per liter.

(2) The arithmetic mean of the values for effluent samples collected in a period of seven consecutive days shall not exceed 45 milligrams per liter.

(3) The arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period (85 percent removal).

(c) **Fecal coliform bacteria.** (1) The geometric mean of the value for effluent samples collected in a period of 30 consecutive days shall not exceed 200 per 100 milliliters.

RULES AND REGULATIONS

22249

(2) The geometric mean of the values for effluent samples collected in a period of seven consecutive days shall not exceed 400 per 100 milliliters.

(d) *pH*. The effluent values for pH shall remain within the limits of 6.0 to 9.0.

§ 133.103 Special considerations.

(a) *Combined sewers*. Secondary treatment may not be capable of meeting the percentage removal requirements of paragraphs (a)(3) and (b)(3) of § 133.102 during wet weather in treatment works which receive flows from combined sewers (sewers which are designed to transport both storm water and sanitary sewage). For such treatment works, the decision must be made on a case-by-case basis as to whether any attainable percentage removal level can be defined, and if so, what that level should be.

(b) *Industrial wastes*. For certain industrial categories, the discharge to navigable waters of biochemical oxygen demand and suspended solids permitted under sections 301(b)(1)(A)(i) or 306 of the Act may be less stringent than the values given in paragraphs (a)(1), and (b)(1) of § 133.102. In cases when wastes would be introduced from such an industrial category into a publicly owned treatment works, the values for biochemical oxygen demand and suspended solids in paragraphs (a)(1) and (b)(1) of § 133.102 may be adjusted upwards provided that: (1) the permitted discharge of such pollutants, attributable to the industrial category, would not be greater than that which would be permitted under sections 301(b)(1)(A)(i) or 306 of the Act if such industrial category were to discharge directly into the navigable waters, and (2) the flow or loading

of such pollutants introduced by the industrial category exceeds 10 percent of the design flow or loading of the publicly owned treatment works. When such an adjustment is made, the values for biochemical oxygen demand or suspended solids in paragraphs (a)(2) and (b)(2) of § 133.102 should be adjusted proportionally.

§ 133.104 Sampling and test procedures.

(a) Sampling and test procedures for pollutants listed in § 133.102 shall be in accordance with guidelines promulgated by the Administrator pursuant to sections 304(g) and 402 of the Act.

(b) Chemical oxygen demand (COD) or total organic carbon (TOC) may be substituted for biochemical oxygen demand (BOD) when a long-term BOD: COD or BOD: TOC correlation has been demonstrated.

[FR Doc 73 17194 Filed 8-16-73; 8:45 am]

APPENDIX B

PETITION

COPY

November 5, 1972

PETITION

TO

1. Mayor and City Council of the Municipality of Marion, County of McDowell, North Carolina.
2. North Carolina Air-Water Resources Board
3. U. S. Environmental Protection Agency

BY

The following undersigned residents of McDowell and Burke Counties, and other adjacent counties, State of North Carolina, who reside on or in proximity to Lake James, or own property on or near Lake James, or who use Lake James for recreational purposes including boating, fishing, swimming, water skiing, picnicking, camping, scuba diving, hunting, etc.

The undersigned request and petition that the proposed sewer system and sewage treatment plant of the municipality of Marion, North Carolina be designed, constructed and operated in such a manner that the waters of Lake James shall not be polluted or contaminated in the least.

This request is not unreasonable because of very unique and unusual circumstances which make it feasible and practical for Marion to design, construct and operate a suitable sewer system including a sewage treatment plant which will have no effect whatsoever on pollution or contamination of the waters of Lake James. The unique and unusual circumstances which make it feasible and practical for Marion to operate a sewer system and sewage treatment plant without pollution or contamination of the

waters of Lake James have been completely ignored or willfully not made use of by Marion in the design of its proposed alteration of the existing sewer system and the construction and operation of additional sewerage facilities.

The pertinent facts are as follows:

(1) Lake James located in McDowell and Burke Counties was formed over fifty (50) years ago by damming the Linville and Catawba Rivers and digging a short canal to interconnect the two resulting bodies of water. It has a shoreline of about 150 miles. Numerous residences have been built on or adjacent to its shores attracted primarily by its beauty, clean waters, plentiful plant and wildlife. It is the recreational center for fishing and water sports for a western North Carolina area with a radius of fifty (50) or more miles. There are three large membership fishing and boating clubs and eight privately operated marinas or boat docks as well as three public access areas of the Wildlife Resources Commission of North Carolina. Its relatively clean, unpolluted, non-contaminated waters must be kept at its present quality or improved. The water classification is A 11-B which is safe for swimming and water sports and fishing.

(2) The Municipality of Marion is located on the Eastern Continental Water Shed. The Catawba River lies to the North of Marion and flows in an Easterly direction. To the South of Marion and also flowing in an Easterly direction is Muddy Creek, which empties into the Catawba River roughly 1/2 mile East of Lake James. The waters of Muddy Creek do not enter Lake James.

(3) The presently outmoded and overloaded sewage treatment plant of Marion is located adjacent to and discharges into Muddy Creek. The proposed sewage treatment plant is to be located near and discharge, not into Muddy Creek, but into the Catawba River about three miles West of its entrance into Lake James. As a result, the Catawba River which does not now carry any of Marion's sewage waters would, under the proposed plant, carry all of it and be dumped into Lake James. Marion's sewage waters now approximate two (2) million gallons per normal day. The proposed two stage plant has a design capacity of three (3) million gallons, but with Marion's probable growth would be overloaded within about five (5) years. The proposed two stage plant with proper operation, which no one can guarantee, is only 85 percent effective and would result in the equivalent of 300,000 gallons of untreated sewage water dumped into Lake James, day in and day out, which in a matter of relatively short time would pollute Lake James to an extent that swimming and water sports in the Catawba section of Lake James would have to be prohibited. Fish in the Catawba arm of Lake James would disappear and the existing trout waters of the Catawba River downstream from Lake James to its confluence with Muddy Creek would not permit the Wildlife Commission to continue to stock trout and protect this area for sportsmen. Also, it is obvious that within a few years, even with optimum operation, untreated or at the best improperly treated Marion sewage would be flowing into Lake James even under normal flow conditions. At times of inevitable equipment failure, flood conditions or improper operation, pollution of Lake James could result at any time after the new system is placed in operation. This condition must not occur.

A general study of municipal sewer systems indicates conclusively that treatment facilities become dangerously overloaded before additional capacity is contracted and placed into service. We are of the opinion that Marion would be no different and in a matter of a few years raw sewage would be dumped into the Catawba River and seriously pollute Lake James. It can be prevented simply by locating the proposed treatment plant adjacent to the existing plant. It is obvious that the design of the proposed system was adopted with utter disregard of Lake James wildlife, the taxpaying owners of property on and adjacent to Lake James and the general public who use Lake James for water related recreation.

No information has been made public of the relative costs and advantages of alternative plans as the one proposed herein. Furthermore, to our knowledge, no public hearings have been held to review the environmental effects of the presently adopted plan which we believe are necessary in order to obtain authorization for federal funding and approval under the Clean Water Act of 1970.

(4) On October 14, 1972, Marion voters approved a \$1,200,000 Bond Issue Referendum by a margin of 317 for and 27 against. It is reported that the local funds will combine with State and Federal Supplementary Grants to provide \$3,260,000 for the building of the proposed new treatment plant, pumping stations and new lines. Construction is scheduled to start in 1973 and will be completed by late 1974.

In view of the above, we the undersigned residents of McDowell and Burke Counties, and adjacent counties, North Carolina, respectfully

and prayerfully request immediate consideration of this petition, and that construction of the proposed Catawba Sewage Treatment Plant be abandoned and that a suitable alternate plant be constructed to discharge into Muddy Creek, thereby eliminating any possibility of the pollution or contamination of Lake James by Marion sewage.

NAME

ADDRESS

TELEPHONE NUMBER

TOTAL SIGNERS

4,629

APPENDIX C
CORRESPONDENCE

JAMES T. BROYHILL
10TH DISTRICT, NORTH CAROLINA

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE
SELECT COMMITTEE ON
SMALL BUSINESS

Congress of the United States
House of Representatives
Washington, D.C. 20515

Room 3448
HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515

DISTRICT OFFICES:
Room 304
COMMERCIAL BUILDING
GASTONIA, NORTH CAROLINA
431 PEACHTREE AVENUE
LEWIS, NORTH CAROLINA

January 9, 1973

Mr. Jack Raven
Regional Administrator
Environmental Protection Agency
1421 Peachtree Street, NE
Atlanta, Georgia

Dear Mr. Ravin:

Recently, I received a petition from a number of the residents of Burke and McDowell Counties expressing their concern about the possible impact on the environment of the proposed construction of a sewage plant for Marion, North Carolina (C-370354).

I would appreciate any information you may be able to furnish me regarding this project. I am particularly interested in comments you may have regarding an environmental impact statement on this project or the opportunity for interested parties to submit comments on the project.

Your assistance and cooperation are appreciated.

With best regards,

James T. Broyhill
James T. Broyhill
Member of Congress

JTB/cc

AL-384

January 17, 1973

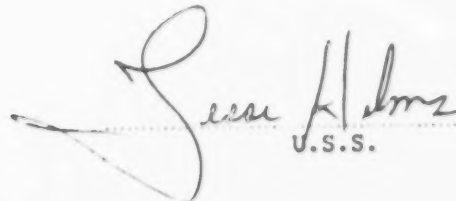
United States Senate

Reg 4

Respectfully referred to:

The Administrator
Environmental Protection Agency
Washington, D. C.

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested. Your findings and views, in duplicate form, along with return of the enclosure, will be appreciated by


U.S.S.

Form #2

SIMPSON, MARTIN AND BAKER

ATTORNEYS AT LAW
204 MIDWELL STREET
P. O. DRAWER 122
MORGANTON, N. C. 28655

TELEPHONE 704/ 437-0744

DAN R. SIMPSON
WAYNE W. MARTIN
C. E. BAKER, JR.
SAMUEL E. AYCOCK

January 8, 1973

Senator Jesse Helms
Senate Office Building
Washington, D. C. 20515

Dear Jesse:

12 3/3

In connection with the proposed construction by the City of Marion of a sewage disposal plant on the Catawba River, which will result in effluent being dumped into Catawba River, you will find the following:

- (1) Petition without signatures dated November 5, 1972, relative to the probable pollution of Lake James as a result of construction by the City of Marion of a sewage treatment plant. This Petition, which is self-explanatory, has been signed by over 4600 persons who reside at or near Lake James and many others from adjacent counties who use Lake James for recreational purposes.
- (2) Copy of Transmittal Letter to the City of Marion dated December 21, 1972;
- (3) Copy of Transmittal Letter to the North Carolina Air & Water Resources Board dated December 21, 1972.
- (4) Copy of Transmittal Letter dated December 21, 1972, to the Federal Environmental Protection Agency.

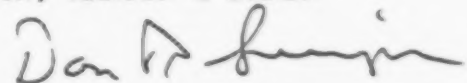
It is requested that you give this information thorough and serious consideration and take such actions as are available to you to implement the requests as set forth in the petition.

Your help and cooperation are urgently requested. If additional information is needed, we will cooperate to the best of our ability.

Sincerely,

SIMPSON, MARTIN & BAKER

By:



DRS:ca

encls.

COPY

December 21, 1972

Mr. James Seagers, Mayor
City Hall
Marion, North Carolina 28752

Dear Mr. Seagers:

Our firm represents a group of citizens from Burke and surrounding counties who are interested in preventing the pollution of Lake James.

Enclosed herewith is a petition dated November 4, 1972, relative to the pollution of Lake James as the result of the proposed construction by the City of a sewage treatment plant and the resulting discharge of effluent in the Catawba River and Lake James. The Petition is self-explanatory. It has been signed by over 4600 persons, many of whom reside on Lake James and its vicinity. There are many other signatures of persons from adjacent counties who use Lake James for recreational purposes.

It is requested that you give this Petition immediate and serious consideration. It is respectfully requested that you abandon present plans which can only result in further pollution and contamination of Lake James. In the event you do not decide to abandon the location of this project, we respectfully request that an Environmental Impact Statement be prepared relative to this proposed sewage facility. In the preparation of such Environmental Impact Statement, we would like very much to be notified of any meetings or hearings held relative thereto. My clients would also like to be furnished with a copy of the proposed Environmental Impact Statement.

If you wish, we will be glad to meet with your legal representatives to discuss this matter. My clients are determined that there be no further pollution of the Catawba River and Lake James.

Please direct all communications to Mr. C. C. Vendenburgh, Route 2, Box 252, Nebo, North Carolina, 27861.

Sincerely,

Dan R. Simpson

DRS:cf

COPY

December 21, 1972

N.C. Water & Air Resources Board
Department of Natural & Economic Resources
Post Office Box 27687
Raleigh, North Carolina 27611

ATTN: Mr. George B. Pickett

Dear Sir:

Our firm represents a group of citizens from Burke and surrounding counties who are interested in preventing the pollution of Lake James.

Enclosed herewith you will find the Petition dated November 5, 1972, relative to the proposed construction by the City of Marion of a new sewage treatment plant and the discharge of the resulting effluent into the Catawba River and Lake James. The Petition is self-explanatory and has been signed by over 4600 persons. Many of these people reside on or in the proximity of Lake James and many others are from adjacent counties who use Lake James for recreational purposes.

It is our position that no responsible person or groups can guarantee that the discharge from the proposed Marion sewage treatment plant into the Catawba River will not result in pollution and contamination of Lake James. We think it is apparent and inevitable that pollution of Lake James will result. As detailed in the petition, there is an alternate location for this proposed plant. The alternate position would be located on Muddy Creek and the discharge from the plant would flow into Muddy Creek. The flow of Muddy Creek is adequate for double capacity of the proposed plant. In view of the existence of the two streams, one of which empties into Lake James, the other of which does not, it is our contention that the proposed plant should be constructed on Muddy Creek rather than on the Catawba River.

It is requested that you give this petition immediate and serious attention and consideration, and that you take such action as is available and necessary to prevent further pollution and contamination of Lake James as a result of the proposed sewage treatment facilities of the City of Marion. It is specifically requested also that an Environmental Impact Statement for this project be prepared, and that a copy of this statement be made available to myself and my clients. It is further requested that notification of any hearings relative to the preparation of such Environmental Impact Statement be provided in order that my clients might plan to attend.

COPY

N.C. Water & Air Resources Board

Page Two

December 21, 1972

My clients do not believe that public funds should be used for the construction of facilities which will result in further pollution from Lake James and the Catawba River, particularly when a suitable alternate is available.

Your cooperation in this urgent matter is respectfully requested. If there is additional information which we may provide, we will endeavor to do so.

Our clients are determined that there be no further contamination and pollution of Lake James.

Please direct all communications to Mr. C. C. Vendenburgh, Route 2, Box 252, Nebo, North Carolina, 28761.

Sincerely,

Dan R. Simpson

DRS:cf

cc: Dr. Jacob Kooman
State Health Director
N.C. State Board of Public Health
Raleigh, N. C. 27602

cc: Executive Director
N.C. Wildlife Resources Comm.
325 N. Salisbury Street
Raleigh, N.C. 27611

COPY

December 21, 1972

Mr. Ralph Palange, Director
Environmental Protection Agency
Division of Waste Water Programs
Washington, D. C.

Dear Sir:

We represent a group of persons who reside on or near Lake James, North Carolina, and other persons who use Lake James for recreational purposes. Enclosed herewith you will find a Petition dated November 5, 1972, relative to the pollution of Lake James as a result of the proposed construction by the City of Marion of a new sewage treatment plant. This sewage treatment plant will be located on the Catawba River west of Lake James and will result in the discharge of effluent into the Catawba River and thus into Lake James. This Petition is self-explanatory and has been signed by over 4600 persons. Many of the persons who signed this Petition reside on or in the proximity of Lake James. The others are persons who use Lake James for recreational purposes.

It is apparent that no responsible person or groups of persons can guarantee that the discharge from the proposed Marion sewage treatment plant into the Catawba River will not pollute and contaminate Lake James. It is apparent to us that pollution of Lake James will result. As set forth in the Petition, there is an alternate location for the proposed sewage treatment plant. The plant location would result in discharge into Muddy Creek which is adequate for double the capacity of the proposed plant. In view of this situation, a proposed plant should be constructed to discharge into Muddy Creek, which does not flow into Lake James, and there could be no resulting contamination and pollution of the lake.

It is requested that you give this Petition immediate and serious attention and take such actions as are available and necessary to prevent the pollution and contamination of Lake James. We are requesting that an Environmental Impact Statement be prepared for this project and that we be furnished with a copy of the statement. We further request that we be given notification of any meetings or hearings relative to the preparation of such statement.

It is our understanding that Section 601.35 of the "Federal Guidelines for the Design, Operation and Maintenance of Waste Water Treatment Facilities" require that public hearings be held.

COPY

Mr. Ralph Palange
Page two
December 21, 1972

We do not think that public funds should be used for the construction of facilities which will result in pollution and contamination of Lake James, when a suitable alternate location is available, which would safeguard the lake from further pollution.

Your cooperation in this urgent matter is respectfully requested. If there is additional information you may require or need, we will endeavor to provide it. Our clients are determined that pollution and contamination of Lake James shall not be increased.

Please direct all communications to Mr. C. C. Vandeburgh, Route 2, Box 252, Nebo, North Carolina, 28761.

Sincerely,

Dan R. Simpson

DRS:cf

cc: Mr. Jack H. Raven
Regional Administrator, Region IV
Environmental Protection Agency
1421 Peachtree Street, N.E.
Atlanta, Georgia

COMMISSIONERS

JIMMY R. JACUMIN, CHMN
JOSEPH A. MCGIMSEY, JR.
JOHN T. BRANSTROM
A. F. SUMMERS
RAY Q. WEAVER

Burke County

P O BOX 219

MORGANTON, N C 28655

RICHARD M. PERKINS
COUNTY MANAGER

AREA 704 437 5721

RESOLUTION

WHEREAS, it has come to the attention of the Burke County Board of Commissioners, that the City of Marion, North Carolina plans to use the Catawba River in connection with their proposed waste treatment plant, and

WHEREAS, the Burke County Board of Commissioners have been presented with a petition containing approximately 4,600 names objecting to the proposed location on the Catawba River of a new waste treatment plant for the City of Marion, and

WHEREAS, the Burke County Board of Commissioners being concerned for all the citizens of Burke County and the prevention of pollution to Burke County waters and preserving the beauty of our environment;

WHEREAS, plans call for waters in this area to supply the people of Burke County in their future water needs and provide a most needed water recreation area for the people of Burke County as well as adjoining Counties;

NOW, THEREFORE, BE IT RESOLVED, that the Burke County Board of Commissioners respectively request the North Carolina Water and Air Resources Commission, and the United States Environmental Protection Agency to make an Environmental Impact Study on the effect of the proposed waste treatment plant being located on the waters in this area.

BE IT FURTHER RESOLVED, that this resolution be spread upon the permanent Minutes of the Board of Commissioners of Burke County, and that copies be sent to North Carolina Water and Air Resources Commission and the United States Environmental Protection Agency.

Adopted on January 22, 1973.

BURKE COUNTY BOARD OF COMMISSIONERS


Jimmy R. Jacumin, Chairman

BURKE COUNTY
Chamber
of
Commerce

POST OFFICE BOX 751
PHONE 704 437-3021
MORGANTON, NORTH CAROLINA
28655

January 25, 1973

Mr. Jack E. Ravan
Regional Administrator, Region IV
Environmental Protection Agency
1421 Peachtree Street, N. E.
Atlanta, Georgia 30309

Dear Mr. Ravan:

On November 14, 1972, Mr. James Culberson, then President of the Burke County Chamber of Commerce wrote to the Environmental Protection Agency's Washington office (the letter being then referred to your Atlanta Regional office) expressing the official concern of the organization about the potential environmental effect of the discharge of effluent into Lake James from a sewage treatment plant proposed by the Town of Marion, North Carolina.

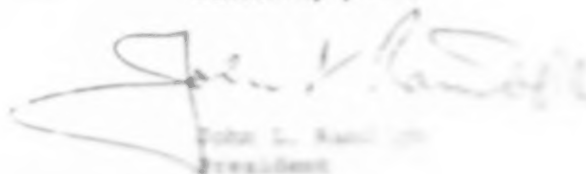
This concern is a matter of continuing record. Lake James is used as a major recreational area by some thousands of people each year - people not only from Burke and McDowell Counties, but from a number of surrounding counties as well.

It is our understanding that the National Environmental Policy Act of 1969 provides for the preparation of an environmental impact statement on a proposed project of this sort under certain circumstances.

As an extension of our Board's stated concern, and at the instance of its Executive Committee, we are requesting that such an environmental impact statement be prepared so the public can be assured that the best interests of the people will be served.

We will very much appreciate your consideration and any affirmative action your office can take toward this request.

Sincerely yours,


John L. Rasmussen
President

JLR:qb

HOLIDAY SHORES COMMUNITY ASSOCIATION

Lake James — Burke County, N.C.

January 25, 1973

Mr. Jack E. Ravan, Regional Administrator
Environmental Protection Agency
1421 Peachtree Street, N. E.
Atlanta, Georgia

Dear Mr. Ravan:

Holiday Shores is a community comprised of more than thirty homes, two thirds of them being permanent residences, with one third occupied during the summer months. Our association has a membership of 70 or more property owners. The Holiday Shores Community Association is spear-heading the drive to protest the possible pollution of Lake James by the City of Marion's proposed sewage treatment plant on the Catawba River approximately three miles North of the lake.

We believe this proposal by the City of Marion requires an in-depth study by your agency to determine the possible extent of pollution, and to consider alternate sites. We, therefore request an Environmental Impact Statement, and a subsequent public hearing of your study in order to give interested citizens the right to hear and to be heard. You have received a petition signed by more than 4600 persons, and we have collected some 300 additional signatures since which do not appear on the petition sent you. Less than 500 Marion citizens voted either pro or con on the city's bond issue referendum, which leads us to believe the citizenry was not fully informed of the proposal at the time.

Your attention and cooperation will be appreciated.

Sincerely yours,

F. W. Davis

F. W. Davis, Chairman
Holiday Shores Community Association
P. O. Box 825
Morganton, N. C. 28655

FWD:ec

Mimosa Fishing Club
Morganton, North Carolina
January 26, 1973

Mr. Jack E. Ravan, Regional Administrator
Environmental Protection Agency
1421 Peachtree Street, N. E.
Atlanta, Georgia

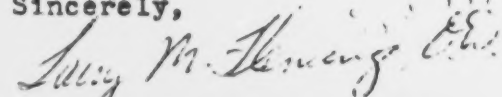
Dear Mr. Ravan:

As president of the Mimosa Fishing Club, I have been asked by our Board of Directors to write to you concerning a project of the City of Marion, North Carolina, in construction of a sewage disposal plant on the Catawba River at the head water of Lake James.

Our club operates a boat marine on Lake James near the power house. We have about four hundred members whose interests vary from fishing to camping to boating to hunting. Our membership is from Burke, McDowell, Caldwell, Catawba, Cleveland, Buncombe, Avery and several other counties.

Our membership has become very concerned over the possible pollution of our lake by the construction of this sewage plant. We feel that the potential problems are great enough that we would like to request that your office make a survey of this proposed plant by the City of Marion. We would like to further request that an Environmental Impact Statement be filed on this project and that a public hearing be held on this project so that all citizens with interest might express their opinion.

Sincerely,



Larry M. Fleming, President
Mimosa Fishing Club
Morganton, North Carolina 28655

LMF:nr
cc:file

SIMPSON, MARTIN AND BAKER

ATTORNEYS AT LAW

204 MIDWELL STREET

P. O. DRAWER 128

MORGANTON, N. C. 28655

March 20, 1973

TELEPHONE 704/437-9744

DAN R. SIMPSON
WAYNE W. MARTIN
C. E. BAKER, JR.
SAMUEL E. AYCOCK

Mr. Sheppard N. Moore, Chief
Environmental Impact Statement Staff
Environmental Protection Agency
1421 Peachtree Street, N. E.
Atlanta, Georgia 30309

Dear Mr. Moore:

Pursuant to the recent Notice of Intent, signed by Mr. Ravan, relative to the preparation of an environmental impact statement to cover the proposed sewage facilities for the municipality of Marion, North Carolina, I welcome this invitation to express some views on the subject.

I represent many of the 4629 signers of the petition, presented in December, 1972, requesting that Marion's proposed treatment plant be located, not on the Catawba River, but on the Muddy Creek system, so that its effluent could not possibly contaminate and pollute Lake James. The waters of Muddy Creek by-pass and do not enter Lake James. Recent unsolicited signers have now increased the total number of petitioners to over 5000.

First, I wish to say that we are confident that under your supervision and direction the impact statement will fully explore and cover the various feasible and practical alternative locations for Marion's plant, the various types of treatment available, the plants for such treatment, and the capital costs as well as the annual operating costs of such plants. In addition, the environmental and ecological effects of each of the various alternatives to Lake James should be explored. Existing conditions of the waters to receive the effluent must be evaluated in order to assess the effects of the addition of the effluent from the proposed Marion treatment plant. The impact statement should not be developed merely as a justification for the plan adopted by Marion. It should be a comprehensive, complete and unbiased exploration and assessment of the various possible solutions to the Marion problem. It should fully reflect that Marion has two excellent, alternate means of disposal of their treated effluent.

Lake James presently becoming contaminated and polluted, is definitely threatened as a major recreational area of western North Carolina for body contact recreation and fishing if Marion's presently adopted plans for a new sewage plant with its effluent discharge into the Catawba River upstream from Lake James becomes a reality.

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Proponents of the presently proposed plan summarily reject Muddy Creek as a possible location for the disposition of the treatment plant effluent. This conclusion is not warranted as evidenced by a study and 1969 report of The Harwood Beebe Company of Spartanburg, South Carolina. The Harwood Beebe Company, at that time, was and had been the engineering firm employed by the city of Marion. In 1969 they proposed a 5 million gallon per day plant to be placed on Corpening Creek (part of the Muddy Creek system), with provisions to increase the capacity to 10 Million at a later date. The proposal was rejected by Marion because the plan required that industry pre-treat its waste. The 1969 proposal was never publicized and to this day the general public is unaware of its existence. The Harwood Beebe Company was released and Marion then hired O'Brien and Gere of Charlotte, North Carolina.

The O'Brien and Gere study and 1971 report explored four alternatives, two of which discharged the treatment plant effluent into Muddy Creek. These two alternatives were dismissed as being somewhat costly.

Both engineering reports show the Muddy Creek system has ample flow for not only the presently proposed 3 million gallon per day plant but in addition at least a second 3 million gallon per day plant provided the treatment is of an advanced tertiary type or comparable treatment. The quality of the water after this type of treatment would enhance that of Muddy Creek. Such a plant would probably be moderately more expensive but not prohibitive. Marion's direct share of the total presently estimated cost is only about 25% with the major 75% coming from Federal Funds which the 5000 signers of the petition and the general public must pay directly. My clients therefore have a real stake in the solution of Marion's problem.

Lake James at present is receiving a considerable amount of pollutants. There are two large textile finishing plants emptying their waste into the Catawba River. One is located approximately 11 miles from the river's entrance into the lake, and the other about 8 miles from the lake on the North Fork of the Catawba River. In addition the city of Old Fort has a treatment plant which empties into the Catawba River about 9 miles from the lake. The average flow of the Catawba River is 20 million gallons per day.

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However, it is not unusual for the area to experience droughts during the summer months, which reduces the flow materially. Approximately 3 million gallons of wastes are being put in the river by Old Fort Finishing Company and the city of Old Fort almost every day. With a dilution factor of 5 to 1, this accounts for 15 of the 20 million gallons leaving a dilution factor of less than 2 to 1 for the city of Marion's treatment plant. The plant proposed for Catawba River above Lake James would not enhance the quality of the water in the river and could only increase the degradation of the lake. Mr. Chapman, of O'Brine and Gere has stated that there would be some degradation of the receiving waters and no guarantee could be made that Lake James would not receive pollution as a result of the proposed plant.

If Marion is permitted to build its proposed treatment plant to discharge into the Catawba River, it will be an irreversible and irretrievable commitment of resources. It will result in detriment to the general public, in a large area who now use Lake James for body contact recreational activities and fishing, as well as owners of property and residents on or adjacent to Lake James. This condition is totally unnecessary if the alternate stream, Muddy Creek, is utilized. This stream's use is feasible and practical for Marion, and it completely by-passes Lake James.

If built and placed in operation the presently planned Marion plant will have to be used for a period of years. At the time of initial operation it well may be overloaded.

At the present time there is an average daily flow of nearly 2 million gallons of waste entering the city of Marion's sewage treatment plant. The city's sewer lines are in such a bad state of repair that during heavy rains as much as 4 million gallons enter the plant in one day. This condition, plus the many potential residents and industries when added to the system will overload the presently proposed plant on or very shortly after it is put into operation.

A review of the history of municipal management of waste treatment plants indicate to us that good operation and scrupulous maintenance simply do not occur, and that

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contamination and pollution are the end result. A cursory examination of the present Marion plant confirms this conclusion. However, of greater importance is the overloading of treatment plants and the resulting drop of its effectiveness. Marion was cited to solve its waste problems in 1967 and no significant physical changes have yet been made in the past six years. It will be at least eight years before new facilities are actually in use. This illustrates the time delay from need to actual usage. The overall result is a serious overload which, combined with poor operation and grossly inadequate maintenance, results at present in very poorly treated sewage being dumped into the Muddy Creek system under the best of conditions and raw sewage being dumped under adverse conditions.

In Valdese, North Carolina, the main treatment plant, built in 1966, is the same type presently proposed for Marion. The plant, designed to treat 3.2 million gallons per day is grossly overloaded and sometimes peaks to 7 million gallons per day. A recent fish kill was reported below the effluent outfall at a time when oil was being discharged into the treatment plant. It appears no action is taken to abate this apparent violation of the pollution laws.

In the Asheville area the plant, of 1967 vintage, is handling normal loads within 4 % of its rated capacity. So, as far as we have been able to determine there are no developed plans and programs to provide additional capacity. The prospects here are for overloading and a gradually lowered quality of effluent for a period of years.

Lake James is situated at the headwaters of the Catawba River basin as its waters (Catawba arm) originate in McDowell County. If we are ever to succeed in cleaning up our rivers and lakes, here is the place to start; for if we start at the headwaters and clean it up, the municipalities down stream will experience qualitative and economic advantage in processing their drinking water.

Burnett's landing is located on the Catawba River between the North Fork of the Catawba River and Lake James, a short distance downstream for Marion's proposed plant. Thousands of people from miles around swim, picnic, water ski, fish and boat in this area. The value of this lake in terms of recreation is immeasurable. When aesthetic values and

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psychological factors are considered, the placement of a sewage disposal plant in proximity to this recreation facility is abhorrent and repugnant. Under the Federal guidelines for "Water Quality Criteria", published by the Department of the Interior in 1966, water quality standards should be designed to enhance the quality of water and aesthetic values and especially psychological factors should be considered in any contemplated action.

The policy of this nation, as covered by the 1970 National Environmental Policy Act, is to improve, not degrade, our environment. We as a nation must pay our debt to the past by reclaiming the purity of our air, our water, and our environment. The time is now.

Based on the above we are determined to oppose further contamination and pollution of Lake James. Further, it is our opinion that the construction and operation of the presently proposed Marion sewage treatment plant with discharge into Lake James via the Catawba River should not be permitted.

We are making these comments in a spirit of cooperation and trust they may be helpful. We would like to have you meet with us at your convenience to discuss this matter further.

At such time as the draft impact statement becomes available, please send me 10 copies of this if feasible.

Enclosed you will find excerpts from the March 12, 1973 issue of "Real Estate Insider Newsletter," 2315 Broadway, New York, New York.

Sincerely,

SIMPSON, MARTIN AND BAKER

By:

DRS:jc

Vol. IV, No. 22

March 12, 1973

ALL HOME CLOSING COSTS PRIOR DISCLOSURE LAW TO PASS CONGRESS THIS YEAR

The 1973 Congress is scheduled to act upon a bill, which if approved, will require that home buyers and sellers be presented with full details of all closing costs before settlement takes place. According to reports from Capitol Hill, it stands an excellent chance of being enacted. It is sponsored by the same lawmakers who last year advocated legislation to establish maximum charges for each fee (except brokerage commissions) involved in the closing process -- an impracticable proposal finally dropped.

THE THEORY BEHIND the proposed "Prior Disclosure Act" is that it will enable both buyer and seller to close with a clear understanding of all charges paid because they will have a chance to check the authenticity of each item ahead of time. It will be especially helpful to the buyer because he will have a chance to shop around for better mortgage terms before he finally commits himself.

JUSTIFIED OR NOT, its sponsors claim the proposal is needed because the average person buys or sells a house so seldom during his lifetime he doesn't understand why so many settlement costs are necessary; it's difficult for him to get answers to questions because he doesn't know what his settlement costs will be until he goes to closing; and he can't get much information there because the closing officer is usually in a hurry to complete the proceedings and go on to another assignment. Thus, buyers often wind up paying much more in settlement costs than anticipated and sometimes receive no receipt showing how much was paid or for what, except in those states where itemized statements are required by law.

THE SPONSORS ALSO claim benefits for the industry. When a person gets involved in a business deal he doesn't understand, he tends to become suspicious, they maintain. By providing complete information ahead of time there is the opportunity to dispel any suspicion before going to closing -- provided there is confirmation that all charges are justified. If not there is an opportunity to request an adjustment before hand.

EXACT LANGUAGE OF the bill is not known, but it appears the broker will be responsible for making sure that advance disclosure is made in proper form. In the opinion of some observers, this is ironic because the broker's rate of commission is usually the only closing cost everybody understands. It will also be his responsibility to answer any questions the customer may ask about any or all of the charges -- another reason brokers may be justified in charging higher commission rates. □

CLAIM RENT CONTROLS WILL SOON BE BACK: "If they aren't re-imposed during Phase III, they will be under Phase IV when price increases will be

keeping knowledge channels open to the outside world for developments which can affect his business, etc. The ability of an organization to forge ahead is therefore largely dependent upon the broker executive's ability to manage time. □

NOV 20 1973

TWO FREE BOOKLETS: The Department of Housing and Urban Development has just published two new booklets: (1) "Why Tenant Organizations?" describes steps involved in establishing a tenant organization and how management and tenants can both use it to improve communications. (2) "Get the Facts ... Before Investing in Land" explains how prospective purchasers can distinguish between "the fast buck artist and the legitimate developer." Copies of both are available from HUD, Washington, DC, 20410.

DEMAND FOR HUD-FHA insured loans continues to decline. The number of properties insured by the agency during 1972 was the lowest in five years. However the number of HUD foreclosures continues to increase. Last December, the inventory of HUD acquired properties was 24,000 units greater than December '71.

SHOPPING CENTERS ARE now providing almost as many services as a conventional community. In addition to medical clinics, apartments, libraries, hotels, churches, some are now even including cemeteries.

ACCORDING TO ASSOCIATED Naval Architects, 1861 SE 17th St., Ft. Lauderdale, Fla. 33316, many revolutionary changes for the handling of sewage will soon be common. A major technological breakthrough now makes it possible for municipalities to have a superior tertiary plant built and in operation within 90 to 120 days at a saving of approximately 50% over the cost of a conventional treatment plant. Even more important is the recent development of a waste treatment module which can destroy household and kitchen wastes (garbage) at the source. Such modules can be installed in the attic, on the roof or in the ground.

ROYAL REALTY and Investments Inc., 6715 N. May St., Oklahoma City, has filed a class action suit against the Metropolitan Board of Realtors and Multi-List of Oklahoma which charges those organizations with "unlawful combination and conspiracy to restrain trade" in an effort to monopolize the residential real estate market, and with "arbitrary and unreasonable restrictive membership requirements" for the Multi-List. The suit was filed in the US District Court in Oklahoma City. More later.

LEVITT & SONS reports that original Levittown houses which sold for \$6,990, including appliances and landscaping, shortly after WWII, are selling today for \$35,000 and higher. At the time they were built, many developers predicted that Levitt was building "nothing more than a future slum".

CORRECTION: The Newsletter recently reported that Lee Gatewood of Edward L. Noyes & Co., in Swarthmore, Pa. was developing a 200 acre condominium campground with 1800 sites near Scranton. We failed to point out that this project is being sponsored by Gatewood and a partner (Merle Zimmer) independently of the Noyes organization. □

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APPENDIX D

PUBLIC HEARING
TRANSCRIPT

July 25, 1973

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BEFORE THE ENVIRONMENTAL PROTECTION AGENCY
UNITED STATES OF AMERICA

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IN THE MATTER OF: :
:
PUBLIC HEARING :
:
- - - - -x

The transcript in the above-entitled matter
heard before the United States Environmental
Protection Agency, commencing at 9:00 o'clock,
a.m., July 25, 1973, at the McDowell County
Courthouse, Marion, North Carolina.

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P R O C E E D I N G S

THE CHAIRMAN:

Okay, may we call the meeting to order.

On behalf of the Environmental Protection Agency, Region IV, Atlanta, I would like to welcome all of you to the hearing on the environmental impact statement for the Marion, North Carolina, waste water treatment plant.

I would like to first introduce the members of the panel that will be sitting today.

As Co-Chairman we have Mr. P. Greer Johnson, who is the second from my right, who is Vice-Chairman of the Board of Water and Air Resources for the State of North Carolina, and also a member of the Board, we have Mr. Lee Powers on the end, and the other two gentlemen are with me from the Environmental Protection Agency. On my right is Mr. Alex Little, who is Director of Surveillance and Analysis Division for Region IV, and is the Director of our central region lab in Athens, Georgia, and on my left is Mr. Doug McCurry, who is Chief Engineer in the Water Programs Division in Atlanta.

And at this time I would like to recognize a few of the representatives from the county and city government. First I would like to recognize Mayor of Marion, Mr. James Seger. Glad to have you with us this morning.

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1 I would also like to recognize from the county, Mr.
2 Joseph A. McGimsley, Junior, who is the County Commissioner,
3 and Mr. Richard M. Perkins, who is Assistant County
4 Manager for Burke County, from Morganton, North Carolina.

5 These gentlemen over here with us, we are glad to
6 have you with us.

7 Before we begin hearing from the witnesses I would
8 like to ask Mr. Johnson if he would like to make a brief
9 statement of welcome from the State of North Carolina.

10 MR. JOHNSON:

11 Mr. Chairman, it is a pleasure to see this large
12 crowd here. We are always glad to have our co-workers
13 from EPA in Atlanta, we want to welcome you to North
14 Carolina and to tell you to come back at any time.

15 I would like to make a statement at this time. As
16 the Chairman will tell you, this is a legal, this is a
17 hearing that is a legal requirement. It is being held by
18 EPA. The State endorses this hearing, and gives full
19 cooperation to it.

20 Each of you will be given your opportunity to speak.
21 I have with me today three members of our staff, Mr. Bill
22 Mull, Region Engineer in this territory, Mr. Darwin Coburn,
23 who is Chief of our Pollution Control Section, and Mr.
24 Bill Pruitt who is Assistant Director in charge of
25 Administration.

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1 Their purpose in being here is to answer any questions
2 that you wish to direct to them.

3 Thank you, Mr. Chairman.

4 **THE CHAIRMAN:**

5 Thank you, Mr. Johnson.

6 The notice of this public hearing was recently pub-
7 lished on July 22, in the Charlotte Observer, the Raleigh
8 News and Observer, McDowell County News and the Morganton
9 News-Herald.

10 (See said copies of said notices herewith attached.)

11 **THE CHAIRMAN:**

12 This public hearing is held pursuant to regulations
13 by the Council on Environmental Quality, regulations by
14 the Environmental Protection Agency, for the purpose of
15 encouraging the full participation of the public in the
16 EPA decision making process, and it is intended to develop
17 greater responsiveness of governmental action to the public's
18 concerns and priorities and to develop improved public
19 understanding of official programs in action.

20 We will hear from the witnesses in the order that you
21 have registered, and if there are some here who wish to
22 speak who have not registered, I would request you go to
23 the back of the room and register with the secretary at
24 this time.

25 We will ask you to limit your remarks to approximately

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1 fifteen minutes on relevant issues, and if you need
2 additional time, we will give you additional time after
3 other witnesses have had their opportunity.

4 You are welcome to submit any written statements
5 of any length or to address the panel later in the day
6 after we have heard from other witnesses.

7 Also, there will be no questions to the panel from
8 the speakers, however, where there is a need for clarification
9 of the witness's statement or for sources of his data, I
10 will ask either Mr. Little or Mr. McCurry to address ques-
11 tions to the speakers for the purpose of clarification.

12 The formal rules of evidence will not apply here.
13 There will be no oath of the witnesses, and as I indicated
14 before, we will have no questions from the audience or only
15 limited questions from the panel where necessary.

16 However, if there arises a point where a member of
17 the audience would like to rebut some remarks of other
18 witnesses, the procedure to follow here would be for you
19 to register again and make a second statement after other
20 witnesses have made their statement.

21 When you are called on to speak we request that if
22 you have a written statement that you give a copy to me
23 and you give a copy to the court reporter here on the
24 right, and then you approach the podium and give your
25 name, and any organization that you represent and begin

1 your statement at that time.

2 At this time I would like to call the first witness
3 who will be Mr. Stephen E. Sanders.

4 MR. STEPHEN E. SANDERS:

5 Mr. Chairman, members of the Council, I am speaking
6 as a citizen of McDowell County. My personal residence
7 is on Henkins Road, approximately 500 yards from the pro-
8 posed plant site.

9 I would like to bring to the attention of the Council
10 several economic factors which I did not see explained in
11 the impact statement.

12 First, in consideration of the proposed site I and
13 my neighbors stand to lose substantial amounts of money
14 in the value of our homes. No such values reduction would
15 occur if a site were placed at Corpening Creek where
16 land values have been depressed as much as they will be.

17 Secondly, it is my philosophy that no matter where
18 treatment facilities are placed, they should be constructed
19 in such a way that they have accommodated the best technol-
20 ogy available today. Once this is assumed, placement
21 of the finest technological treatment site at Corpening
22 Creek would be in fact less expensive than at the proposed
23 site due to fewer changes in the outfall sewage from the
24 city.

25 As far as environmental impact, I think it is necessary

1 to point out that at the moment the development of pro-
2 perty along the Henkins Road area, and out near the lake
3 is coming about at an accelerated pace.

4 For the last 50 years this has not been true. Most
5 of this development like my own home will have septic tanks.
6 I don't think that anyone doubts that this will increase
7 the load on Lake James, to increase the load further by plac-
8 ing a waste treatment facility along the Catawba River in the
9 proposed site would just add further burden to the lake.

10 If the slim chance occurs that placing this facility
11 on the Catawba River does cause a problem with Lake James
12 and it is my personal opinion that no matter how properly
13 run, a waste treatment facility can be, there are a good
14 many times when the load will be in excess or again con-
15 ditions will occur where the operations of the plant will
16 not follow given specifications.

17 Should putrifaction of the lake occur, the economic
18 loss of income for the residents of McDowell County and
19 Burke County will be great, a great deal of income is
20 arrived at in this area from our tourism and because of
21 the recreational facility, the loss of income for service
22 stations, restaurants, et cetera, will be great.

23 THE CHAIRMAN:

24 Thank you, sir.

25 I would like to call the next witness, Mr. C. C.

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1 VanDenburgh.

2 MR. C. C. VAN DENBURGH:

3 Thank you ladies and gentlemen.

4 Mr. Chairman, members of the Board, Hearing Board,
5 I feel rather naked standing up here when I see all of you
6 gentlemen with jackets on this morning, but we are glad
7 it is a little cooler and you are not too hot with them.

8 My purpose this morning is to speak on behalf of the
9 Holiday Shores Community Association.

10 I offer the following comments on the draft environ-
11 mental impact statement for Marion, North Carolina, dated
12 July 8, 1973. My name is C. C. VanDenburgh, and I am
13 the current chairman of the association.

14 Holiday Shores is a community of nearly forty homes
15 about half of which are occupied the year around and half
16 are occupied during the summer. Our association has a mem-
17 bership of about 70 property owners. Holiday Shores is
18 located in Linville Township, Burke County, on the south
19 side of Lake James.

20 This community has developed and grown because of
21 Lake James, which affords swimming and other body contact
22 recreation during the summer months. All year round there
23 is fishing, boating, camping and the beauty of the lake
24 with its mountain views and forests. It is one of the
25 most beautiful lakes in western North Carolina. It is

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1 the recreational center for Burke and McDowell counties
2 as well as adjacent counties. We, who live in Holiday
3 Shores, insist that the waters of Lake James be kept suit-
4 able for all types of recreational activities without
5 further pollution and contamination.

6 The draft impact statement concludes that Marion's
7 proposed sewage treatment plant would be acceptable if
8 built to discharge into either Muddy Creek or the Catawba
9 River and recommends the Catawba River location because
10 of lower costs.

11 If operation of the plant was consistently good
12 and it was properly maintained in good condition and the
13 plant load was to stay within its design capacity, this
14 conclusion might be justifiable. However, the history of
15 municipal sewage plants does not lead one to the
16 conclusion that this will be the case. Proper operation
17 and maintenance are usually neglected because of the
18 expense involved and the lack of competent personnel. The
19 result is a drop off in plant efficiency. This, combined
20 with plant overloads from ever increasing amounts of
21 incoming sewage, results in an inadequately treated
22 effluent discharge. The end result is pollution and
23 contamination of the receiving waters, which in this case
24 would be Lake James. We do not have confidence that the
25 federal, state or municipal governments can guarantee

1 proper operation, adequate maintenance and added capacity
2 as needed to match increased loads. The existing Marion
3 situation demonstrates the time lag between need and
4 completion of adequate facilities.

5 Marion was cited in 1967 to improve their sewage
6 treatment and now, six years later, nothing in the way
7 of new and adequate facilities have been started.

8 In Marion's case, it well may be eight years from
9 need to "in use."

10 What has happened in that period? Corpening and
11 Muddy Creeks have been seriously polluted and containmated
12 as the result of improper operation, inadequate maintenance
13 and the overloading of the existing plant. It is an
14 accepted fact that at best the effluent is improperly
15 treated and under adverse conditions raw sewage is dumped into
16 the creeks.

17 We, in Holiday Shores, after careful consideration, are
18 of the opinion that if the proposed Marion sewage plant is
19 built on the Catawba River, it will be only a matter of
20 a few years before the effluent from it will deteriorate
21 to the point where pollution and contamination of Lake
22 James will result. Lake James' condition will gradually
23 deteriorate to be comparable to what now exists on Muddy
24 Creek. Is it best in the overall public interest to risk
25 this probable pollution to Lake James?

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1 Any impartial appraisal will conclude that the
2 great usage of Lake James by the general public for recreation
3 should dictate that this risk should not be accepted even though
4 proposed plant costs on Muddy Creek may be higher than on
5 the Catawba River.

6 The proposed sewage treatment plant should be built to
7 discharge to Muddy Creek to insure that Lake James cannot
8 be polluted and contaminated from it. Only by so doing
9 can we be sure that Lake James will continue to be a suitable
10 recreation area for the general public who now use it and
11 the many others who will use it in the future provided it
12 is kept clear and healthful.

13 The surface waters of this country belong to the
14 general public and must be kept clear and healthful for
15 the public's use and enjoyment. In the case of the Lake
16 James area we have the unusual good fortune to possess a
17 lake which is still quite acceptable for all types of
18 recreational use. Our aim is to keep it this way
19 and improve it in any way we can.

20 We believe our efforts are in harmony with the goals
21 of the National Environmental Policy Act of 1969. In
22 the case of Marion's sewage treatment plant there is only one
23 way that we can have a guarantee that pollution and contami-
24 nation of Lake James will not occur. That course is to
25 build Marion's proposed plant to empty into Muddy Creek

1 and not the Catawba River.

2 (Applause, applause.)

3 THE CHAIRMAN:

4 Thank you.

5 We will call the next witness, Mrs. Carole Wright.

6 MRS. CAROLE WRIGHT:

7 My name is Carole Wright, and I am representing the
8 Burke County Environmental Council.

9 The Burke County Environmental Council was organized
10 in 1971 and is composed of groups and individuals concerned
11 with the clean, healthy environment now and in the future
12 for western North Carolina.

13 One of the Council's major concerns is the preservation
14 and improvement of Lake James occupying 3,500 or more acres
15 in the western part of Burke County. Lake James is an
16 important element in the environment of this county and
17 a resource eminently worth guarding. It is an economic
18 resource as well as a scene of recreation for this section
19 of North Carolina.

20 The officers of the Environmental Council have read
21 the draft environmental impact statement with much interest
22 seeking assurance that the proposed location of Marion's
23 new sewage treatment facility in its design and operation
24 will not endanger Lake James. Frankly, we are not so
25 assured. We are instead convinced that much more thought

1 must be given to the sewage treatment plant's long term
2 impact on the lake, and the many purposes it serves, and
3 in turn its impact on the residents of Burke and surrounding
4 counties, and as we see it, that thinking cannot take
5 place until an area of pertinent analytical data is at
6 hand being put to use such data could dictate changes in the
7 plant's design, operation, specifications and requirements
8 and its location.

9 Too little basic information is found in the draft
10 environmental impact study to permit a layman's analysis
11 Number one, we question the alleged one to two ratio of
12 plant construction costs on the Catawba versus the Muddy
13 Creek. We can find no specific breakdown of cost for the
14 project at the alternative locations including pumping
15 stations, mains, et cetera. How can we be expected to
16 examine the relative value of each alternative without a
17 line item explanation of cost?

18 Number two, there are no specifications on the nature
19 and extent of toxic substances, metallic and other things
20 emitting from the various industrial plants. Until they
21 are identified, how can pretreatment requirements be
22 supervised? They must be specified in advance if you
23 expect the public to believe that you are really planning
24 for long range pollution reduced environment.

25 Number three, will industry be required to pretreat

1 regardless of cost to them, no substances of a toxic
2 nature, and how will this pretreatment be supervised?

3 Number four, where is the base line data on the
4 present status of the water of the Catawba River and the
5 upper part of Lake James?

6 Number five, how much leadtime is needed or necessary
7 to insure installation of additional nutrient removal
8 equipment if it is needed.

9 Number six, what requirements will be required for
10 reporting to the public on the plant's operation? What
11 reporting to the public will be required on monitoring,
12 to what inspection and what frequency will the plant's
13 performance be subjected?

14 Number seven, well trained competent staff would
15 seem essential for the proper environmental control of any
16 of the alternative plans. What resources will the City
17 of Marion be required to commit for this purpose? Is
18 the City of Marion prepared to attract and keep a staff
19 that will operate the plant to its design capability?

20 These questions should be sufficient to indicate how
21 the Burke County Environmental Council has reacted to the
22 draft environmental impact study.

23 In brief, we are appearing here this morning with the
24 purpose of registering our opposition to the alternative
25 recommended, namely, location of the sewer treatment plant

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1 on the Catawba River just above Lake James, as long as
2 pertinent questions remain unanswered, our purpose is
3 definitely not to impede progress or to add to the
4 difficulties of obtaining a needed facility, but simply
5 to insure that it will produce the least possible harm,
6 both actual and potential to Lake James. We believe the
7 lake is too precious to permit taking chances on its future.

8 In our opinion, the project should not be permitted to
9 proceed until and unless positive proof can be furnished that,
10 (a), there is no other feasible course of action. For
11 that purpose we need a detailed analysis of the alternatives
12 with the inclusion of all pertinent data.

13 (b) That maximum safeguards have been introduced.
14 We cannot condone any action that may very well destroy
15 Lake James for its varied uses with as little assurance
16 to the contrary as we have been given.

17 (Applause, applause.)

18 THE CHAIRMAN:

19 I will call the next witness, Mr. W. A. Sned.

20 MR. W. A. SNED:

21 Mr. Chairman, ladies and gentlemen, my name is W.
22 A. Sned, and I represent myself in this particular case
23 because what I have to say is a personal experience that
24 I have had pertaining to pollution.

25 In the year of 1963 I built a beautiful cottage on a

1 ten and a half acre tract on the shoreline of High Rock
2 Lake which is located ten and a half miles from my present
3 home in Salisbury, North Carolina, my permanent home.
4 This lake has a 360 mile shoreline. In 1969 the water
5 quality of High Rock Lake became so contaminated prin-
6 cipally from the city of Winston-Salem's sewage plant that
7 I refused to allow my family to use the water and as a
8 result, closed my house and this house remains closed to
9 this very day.

10 Winston-Salem has just gotten around to enlarging
11 their plant. Test made by the High Rock Lake Association
12 20 days ago were the first test showing the waters of this
13 lake to meet federal standards. This, unfortunately,
14 ladies and gentlemen, has taken almost four years.

15 In 1971 I purchased a nice cottage in Holiday Shores
16 on the banks of Lake James. After very, very careful in-
17 vestigation as to the water sources of this lake, I felt
18 assured that I had bought a house on a lake that would
19 remain permanently pure. To my utter amazement I now find
20 that the city of Marion proposes dumping its sewage into
21 Lake James, the only excuse to be that they can save
22 a few dollars.

23 The universal history of all sewage plants are alike.
24 At first they meet standards, but soon they are overloaded
25 and before they are corrected, another beautiful lake can

1 be destroyed.

2 Our government is spending billions of dollars of the
3 taxpayer's money to improve our lakes and waterways. Why
4 take a chance of having Lake James become another High
5 Rock Lake?

6 I bitterly oppose this proposed adding the water
7 into Lake James.

8 Thank you.

9 (Applause, applause.)

10 THE CHAIRMAN:

11 I would like to call the next witness, Mr. Finley
12 Davis.

13 MR. FINLEY DAVIS:

14 Mr. Chairman, ladies and gentlemen, we do have a
15 statement which will be presented presently by our
16 vice-president, Mr. George Verbruggen.

17 At this time I would like a show of hands of the
18 people who are supporting our cause in this audience.

19 (Whereupon, there was a show of hands.)

20 THE CHAIRMAN:

21 Thank you for coming.

22 (Applause, applause.)

23 THE CHAIRMAN:

24 At this time the Chair will recognize that some 85
25 percent of those participating here stated that their

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1 position is being in opposition to the proposed location.

2 I would like to call the next witness, Mr. George
3 Verbruggen.

4 MR. GEORGE VERBRUGGEN:

5 My name is George Verbruggen, and I live in Nebo,
6 North Carolina, and I am vice-president of the Lake James
7 Environmental Association, and I wish to make a statement
8 for the Lake James Environmental Association on the draft
9 environmental impact statement for the city of Marion.

10 First of all, I would like to say that this is the most
11 inopportune time for our organization to have a meeting
12 of this type as most of the people that belong to our
13 organization are working people, and they are unable to be
14 here at 9:00 o'clock Wednesday morning. A Saturday
15 morning would have been more beneficial.

16 We, of the Lake James Environmental Association,
17 Incorporated, submit the following comments in reference
18 to the City of Marion's proposed sewage disposal plant.

19 First, we want to state emphatically that we are not
20 opposed to the city of Marion constructing a new sewage disposal
21 plant. In fact, we are 100 percent in favor of a new plant.
22 However, as matters presently stand, we are opposed to the
23 recommended construction of the plant on the Catawba River
24 approximately three miles from its entrance to Lake James.

25 Historically, waters of the Catawba River have been

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1 progressively receding in quality and color. In an in-
2 terview with some of the older citizens of McDowell
3 County, it was pointed out that at one time the river
4 produced fish in abundance, even trout, and as children,
5 the river was their favorite swimming place. Today, they
6 claim, they would not let their dogs go in the water.
7 Before any new pollutants are added, serious consideration
8 should be given to the current, present day status of the
9 Catawba River. The draft impact statement does not offer
10 sufficient data as to the present status of the Catawba
11 River to indicate whether or not the stream could absorb
12 more pollution. We think that a comprehensive analysis
13 of the current status of the Catawba River must be made, and
14 then relate it to the additional pollution that would be
15 added, taking into consideration all operational factors
16 including accidents and upsets.

17 Since industrial wastes are the most harmful of
18 wastes and the textile mills will generate approximately 80
19 percent of the proposed plant's total effluent, what
20 pollutants will industry contribute to the effluent?
21 The draft impact statement does not spell out what the
22 pretreatment requirements are. What, specifically,
23 will be involved in the pretreatment process, what will
24 be removed, in what amounts and what time schedule?

25 Burnette's Landing, one of the major public landing sites

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1 on the lake is located on Lake James where the Catawba
2 River enters the lake. This area is used by thousands of
3 water enthusiasts and fishermen. This area, and the Marion
4 Moose Lodge recreational area will be the first and most
5 seriously affected. What effect would the sewage disposal
6 plant have on wildlife, aquatic life, and the spawning
7 grounds adjacent to the plant? Outfall and its ensuing
8 course to the lake? There is insufficient data in the
9 draft impact statement to allow for a careful assessment
10 of the effects on the Catawba River, Lake James and its
11 aquatic life. What effect would it have on the water's
12 turbidity? What effect would tainting substances such as
13 phenolics have on the taste of fish? What effect would it
14 have on the Ph factor in its relation to aquatic life
15 and humans?

16 Federal guidelines specify that discharges in close
17 proximity to contact recreational areas should be avoided.
18 Aesthetically and psychologically, how can anyone really
19 enjoy a body contact sport in water that is used as a
20 medium for the dilution of a sewage disposal plant?

21 As pointed out in the Environmental Impact Statement,
22 there are inherent imperfections in secondary treatment
23 plants. The inherent possibilities of malfunction of the
24 system when various types of chemicals are accidentally or
25 intentionally introduced, material failure, personnel error,
and periods of shut down for maintenance (scheduled or un-
scheduled) all contribute to the additional load the stream

1 and the lake must carry.

2 No one can predict with any accuracy the numbers
3 of upsets or accidents that will occur -- nor their magni-
4 tude. During these periods, the recreational areas of
5 Burnette's Landing, the Moose Lodge, and other public
6 use areas could be denied to the public for body contact sports
7 for days and even weeks.

8 There is no indication in the draft statement that "201"
9 planning has been done in the evaluation of all the dis-
10 charge currently being made into the Catawba River Basin.

11 The City of Marion has a long record of poor maintenance
12 and operation of its present treatment facility. For years its
13 upkeep has been minimal at its best. Because of inadequate
14 attention, the plant was never fully approved by the
15 State of North Carolina. Even a small requirement for
16 chemical treatment was not accomplished because it
17 involved additional costs. What guarantees will be made
18 to insure that these conditions will not prevail in a new
19 plant? In addition, Marion's present collection
20 facilities, like its plant, are in such a bad state of
21 repair that an intolerable amount of ground water infiltrates
22 the system. What will be required to correct this
23 deficiency before funds can be granted under Section 201
24 of the Federal Water and Pollution Control Act?

25 In reference to metals such as chrome, zinc, and

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1 copper, what percentage will be removed? What percentage
2 of substances such as starches, sizing, textile liquors
3 and dyes will be removed? How much will be dumped into
4 the stream and what effect would it have on aquatic life,
5 wildlife and humans?

6 It appears that no one can guarantee that the pro-
7 posed sewage disposal plant will not have an adverse effect
8 on the Catawba River and Lake James. The environmental
9 impact statement even alludes to the possibility that it
10 will. If there is even a slight chance of polluting the
11 lake, would it not be prudent and wise to place it where there
12 is no possible danger to the lake? If costs of construction
13 and operating the proposed plant are to be the sole criteria
14 upon which a decision rests, wherein lies our wisdom? When
15 one compares the costs of advanced waste treatment faci-
16 lities with the costs of cleaning up a polluted lake, the
17 savings are monumental.

18 The construction of an advanced waste treatment plant
19 on the present site with an outfall to Muddy Creek will,
20 it is stated, meet the expressed goals of the Environmental
21 Protection Agency. It will eliminate any possibility of
22 endangering Lake James. Since industry uses approximately 80
23 percent of the City of Marion's water supply, there is the
24 possibility of recycling back to industry a portion or all of
25 the water for industrial uses.

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1 In Windhoek, South Africa, they have a recycling system
2 which turns sewer water into potable water in what they call
3 an integrated system. They solved their water and pol-
4 lution problem. Has this possibility been explored in the
5 evaluation of cost factors over the life of the plant?

6 There is insufficient data in the draft statement on
7 cost analysis on which to permit a full evaluation and
8 judgment as to which location and type of facility would
9 be the most suitable when all of the factors are con-
10 sidered. Such factors should include operating costs
11 including personnel, their qualification, salaries, et
12 cetera, as well as the lift stations, outfalls, et
13 cetera.

14 On page 56 of the draft statement, what is meant by
15 the statement, "For publicly owned treatment works treating
16 a substantial portion of extremely high strength industrial
17 waste waters in terms of biochemical oxygen demand and
18 suspended solids, what provision is made for adjustment
19 of the secondary treatment level of effluent quality to
20 account for the difficulty in treating such wastewaters?"
21 There appears to be also a discrepancy between the
22 Engineers' Report and the draft impact statement on the
23 7-day, 10-year low-flow on the Catawba River.

24 Will the proposed facility encourage housing,
25 commercial or industrial growth in areas not presently

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1 developed? To what extent?

2 During the last session of the State Legislature of
3 North Carolina, a bill was introduced which would require
4 industries to report -- not treat, only report -- to the
5 Air and Water Resources Board the types and amounts of
6 discharges. The bill was soundly defeated. This is
7 indicative of the attitude of those who are in control of
8 our state's health and welfare.

9 As a nation we are experiencing an ever-increasing
10 trend in leisure time activities. In 1962 report of the
11 Outdoor Recreation Resources Review Commission, and con-
12 firmed by subsequent surveys of outdoor activities, 90
13 percent of all Americans seek recreation associated with
14 water. The report stated that swimming rated second as
15 the most popular of outdoor recreation, but was likely to
16 become the most popular.

17 By law in this great republic, the surface waters
18 belong to the people. It is their right that these waters
19 remain unpolluted. Future generations deserve clean waters
20 as part of their heritage. Lake James is the major
21 public water recreational facility available to the
22 people of Burke, McDowell and surrounding counties. The
23 loss of this lake could not be measured in terms of dol-
24 lars. The economic impact would also be very significant.

25 Therefore, we profess the belief that it would be

1 criminal to degrade a facility that means so much to so
2 many.

3 (Applause, applause.)

4 MR. VERBRUGGEN:

5 I have a letter from the University of North Carolina,
6 the School of Public Health, Department of Environmental
7 Sciences and Engineering. The letter is written by Dr.
8 Charles M. Weiss, who is the professor of environmental
9 biology.

10 In the summer and fall of 1970, as part of our
11 continuing investigations on eutrophication, we used
12 the waters of Lake James for a comparative study on the
13 potential impact that a proposed phosphate substitute
14 in detergents might have on surface waters. Lake James
15 was chosen as one of the three lakes used because it
16 represented for North Carolina waters one of the more
17 oligothrophic (low nutrient level) bodies of water in
18 North Carolina. Our tests showed that the addition of
19 secondary treated sewage to water samples from Lake
20 James resulted in considerable growth of our test algae as
21 compared to sewage which received tertiary treatment and
22 a substantial amount of the phosphorus in the sewage had
23 been removed. These tests indicated that algal growth in
24 Lake James is currently phosphorus-limited. If phosphorus
25 should be added from a sewage effluent algal growth could

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1 become extensive. The level of treatment at the pro-
2 posed Marion plant would not remove the critical nutrient
3 materials.

4 The potential for algal problems in Lake James, if
5 the treated sewage effluent should be introduced, is further
6 compounded by its unusual clarity. Solar energy necessary
7 for the growth of algae penetrates to a greater depth and
8 thus involves a greater volume of water.

9 In my opinion, it would be a mistake to compromise
10 the quality of water as now found in Lake James by
11 allowing the effluent from the Marion plant to enter the
12 Catawba River and flow into the lake.

13 A more satisfactory solution would be to bypass
14 the effluent around the lake and enter the Catawba River
15 on the downstream side of the dam that forms the Catawba
16 arm of Lake James.

17 (Applause, applause.)

18 THE CHAIRMAN:

19 Mr. Little would like to ask you one question
20 about the letter.

21 MR. LITTLE:

22 This is with respect to Dr. Weiss's letter. I
23 wonder for one reason we have great difficulty in ob-
24 taining factual data sometimes as it applies to testing
25 in the areas that we are concerned with, if it might be

1 possible to obtain Dr. Weiss's report or a report indi-
2 cating the results of this testing and, if so, we would
3 be most interested in whether or not he did look at the
4 Lake James water with respect to a tertiary type plant which
5 he mentioned in his letter.

6 MR. VERBRUGGEN:

7 That is what the test was, but these tests, they
8 tested both the tertiary and secondary.

9 MR. LITTLE:

10 If we could see these reports.

11 MR. VERBRUGGEN:

12 I am sure that if you wrote to Dr. Weiss, he would
13 make a plan available to you. The whole survey would be
14 made available to you.

15 MR. LITTLE:

16 All right, thank you.

17 THE CHAIRMAN:

18 I would like to call Mr. David Poteat

19 MR. DAVID POTEAT:

20 David Poteat, Marion County.

21 I certainly would like to agree with Mr. Verbruggen
22 that this is the wrong time. All of the working people are
23 at work. This is not a very favorable time to have a pub-
24 lic hearing, and I certainly disagree with, I have three
25 questions.

1 I would like to know how many towns depend on the
2 top river for their water supply, Catawba, from here to the
3 coast, and how many sewer systems such as this or other
4 sewer systems will the Catawba River stand from here to the
5 coast, and how many treatment plants will it take to
6 overload the river, such as this.

7 I believe those three questions will be about all
8 I go on.

9 Would you like to comment on those?

10 THE CHAIRMAN:

11 One of the requirements of the Environmental Protection
12 Act is when we prepare our final statement, that all of
13 the points raised in the public hearing will be addressed,
14 so those kind of things will be addressed in the final
15 statement.

16 Could I ask one question?

17 Are you opposed to putting the effluent into
18 Catawba River below Lake James, is that basically your
19 opinion?

20 MR. POTEAT:

21 Anywhere that knowing so many people depend on the
22 water down through Charlotte, Charlotte and around,
23 the water supply, and anything, since we control the water
24 supplies of these mountains and Catawba River starts here,
25 I would like to protect in every way to give these people

1 decent drinking water all of the way to the coast of
2 South Carolina.

3 THE CHAIRMAN:

4 Okay, thank you, sir.

5 I would like to call the next witness, Mr. Charles
6 Willis.

7 MR. CHARLES WILLIS:

8 Mr. Chairman, ladies and gentlemen, members of our
9 study board, my name is Charles Willis. I am a pro-
10 fessional engineer and vicepresident of the office of
11 O'Brien and Gere, Engineers.

12 I would like to address a very brief comment to the
13 review of the environmental impact draft statement dated
14 July 9, as proposed by EPA, in accordance with the
15 request of Mr. Ravan at the time of the impact state-
16 ment being distributed.

17 The statement is relatively simple in that we con-
18 cur that the recommendations outlined in the draft environ-
19 mental impact statement that Alternate D, construction of a
20 wastewater treatment plant and discharge to the Catawba River,
21 be adopted; and that the City of Marion proceed with the
22 construction of such facilities in lieu of other alterna-
23 tives outlined in the statement.

24 The preliminary designs of the proposed wastewater
25 facilities, prepared by our firm, reflected the anticipated

1 future addition of alum treatment for precipitation of
2 phosphorous and effluent re-aeration prior to discharge.
3 The final designs, therefore, can be prepared in such way
4 as to incorporate the supplementary treatment stages that
5 you have recommended. It is anticipated that all plant
6 components will involve duplicate process units and standby
7 electrical power generation equipment to minimize the
8 possibilities of improperly treated wastewaters being
9 discharged to the Catawba River.

10 I would like to further note that the preliminary
11 design for the proposed wastewater facilities, reflected
12 the anticipated future requirement of alum treatment for
13 phosphorous removal and future requirement which in ac-
14 cordance with the current recommendations in the impact
15 statement would be added at this time.

16 Accordingly, the final designs for the facility can
17 be simply supplemented by the addition of these previously
18 planned units and assured continued water quality that
19 EPA and state standards both prescribe.

20 (Applause, applause.)

21 THE CHAIRMAN:

22 I would like to call Mr. Jim Rostan.

23 MR. JIM ROSTAN:

24 Mr. Chairman, ladies and gentlemen, my name is Jim
25 Rostan, and I am a native of Valdese, North Carolina.

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1 I am representing myself today officially, and others
2 in the Valdese area who have use of Lake James.

3 I feel many salient points have been left out of the
4 impact statement that have been mentioned today, and I
5 will not repeat these statements in order to preserve
6 time; however, I do feel that these questions should be
7 delved into here, and I will limit my remarks to my
8 own personal views.

9 I have been a water enthusiast for all of my life.
10 I live ten minutes from Lake Rhodiss or the Catawba River,
11 and Valdese, and I have been skiing in both Lake James and
12 Lake Rhodiss many, many times, and for about the past
13 ten years I would rather drive 45 minutes up to Lake James,
14 pull in the trailer than to ski down in the Lake Rhodiss
15 area.

16 If any one of you have ever swam or been skiing in
17 Lake Rhodiss, you will see there is a tremendous dif-
18 ference in the quality of the water.

19 I am not a liberal environmentalist who believes
20 that all pollution should be stopped immediately and in
21 spite of all costs. I am in business, and I know that a
22 business cannot afford to have zero pollution automatically
23 and right away like many environmental programs are
24 proposing; it will definitely go broke.

25 However, I do believe strongly in the current trend to

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1 consider environmental impacts in future planning and
2 also to clean up pollution now existing. I feel that
3 this would be a very good opportunity to exhibit such
4 planning in the counties having one of the cleanest lakes
5 in North Carolina. I feel that it's already been indicated
6 that much study's gone into this but I feel that there is
7 perhaps more that should go into it. There are many
8 questions unanswered.

9 I have always been proud to bring my out-of-state
10 friends to Lake James, which is something I definitely
11 cannot say about the lake just ten minutes from my home.
12 I feel that not discharging into Lake James is the best
13 and perhaps the only way to prevent any type of pollution
14 from entering the lake, from a sewer treatment plant as
15 has been mentioned, becomes overloaded again before it
16 can be updated and, again, the only way to prevent Lake
17 James or preserve Lake James is to bypass discharging into
18 the lake.

19 I am very well aware of the fact that the cost are
20 greater in going this route of bypassing Lake James. It
21 is my understanding that the Federal government provides
22 funds to relieve the greater portion of this burden; if
23 this is so, I think it would be a good opportunity for the
24 residents and the citizens of this area to preserve one
25 of the greatest assets, Lake James, and Lake James is an

1 asset which many people would love to have in their own
2 county right now.

3 Mr. Chairman, I have technical questions about alter-
4 nate types of treatment that I don't understand that I
5 will help them in the proper time.

6 I thank you.

7 (Applause.)

8 THE CHAIRMAN:

9 I would like to call the next witness, Mr. James
10 Yount.

11 MR. JAMES P. YOUNT:

12 Mr. Chairman, ladies and gentlemen, I am James Yount
13 Field Executive of the North Carolina Wildlife Federation

14 I would like to point out two things, what the
15 Wildlife Federation is, it is a state-wide nonprofit,
16 nonpolitical organization of men and women interested in
17 the present and future wellbeing of our state, conserva-
18 tion, farming, nature, wildlife, forestry, wholesome outdoor
19 recreation, and another question, what is the purpose of
20 the Federation; to coordinate efforts and hopes of all
21 lovers of the outdoors, to correct abuses and in the use
22 of our soils, water, forest and wildlife and to serve as
23 a spokesman for the people in conservation matters.

24 We have over 100 conservation clubs and we have
25 over 20,000 members, and I'm here to add our support to

1 the efforts of these conservationists that are determined
2 and would like to see the pollution of Lake James avoided.

3 We certainly wouldn't want to oppose the construction
4 of an adequate sewage disposal plant. The City of Marion
5 is to be commended for that, but we can point out lakes
6 now, Lake Hickory, for instance, had just a few short years
7 ago, what was determined as adequate sewage treatment
8 plant, but now, it is far outdated, and we would like to
9 encourage you not to pollute this beautiful lake.

10 Thank you.

11 (Applause.)

12 THE CHAIRMAN:

13 I call the next witness, Mr. Ken Parkins.

14 MR. KEN PARKINS:

15 My name is Ken Parkins, and I am here just to repre-
16 sent myself. Now, I am speaking for a few fishermen, too
17 in McDowell County.

18 We realize that the proposed sewage plant is going
19 to clean 85 to 95 percent of the solid waste out of the
20 water, but this doesn't have anything to do with phosphates,
21 pheniles and acid that go into the water, as well as we
22 all know, the colder water out of the Catawba River runs
23 underneath the warmer water when this hits the head of the
24 lake.

25 In the future years to come these acids, phosphates,

1 phenols, metallic factors are going to be settled to the
2 bottom of the lake.

3 The head of the lake around Burnette's Landing,
4 North Fork River, is one of the areas for spawning. When
5 all of these acids and this type of thing is settling to
6 the bottom of the lake, the spawning ground, the eggs
7 can be affected, the algae that the baby and young fish eat
8 when they are hatching out can be destroyed, and I think
9 on this thing, it is very, it is one of the most foolish
10 things that we can do to even let, this might be able to
11 happen, and I don't think it ought to go in at all.

12 (Applause.)

13 THE CHAIRMAN:

14 I will call the next witness, Mr. G. Hanford Hanly.

15 MR. G. HANFORD HANLY:

16 Ladies and gentlemen, and distinguished gentlemen,
17 I am G. Hanford Hanly, pastor of the Henkins Baptist
18 Church out in Henkins community.

19 I am be sort of like the man, the farmer each year
20 when he gathered his crop, he took his wagon and hauled it
21 to the market, and there was a mud hole just before he got
22 to the city. He would always get stuck in it and this
23 year he had gathered his potatoes, filled his wagonbed
24 full of the potatoes, headed for the city market, and
25 he got stuck in the mud hole, and on the way he had

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1 forgot about it and he left his back gate up and all of
2 the potatoes had already rolled out, so when he got stuck
3 he looked at the situation and he said, "Here I am
4 stuck and nothing to unload."

5 I think I am sort of like that because of my know-
6 ledge of what you are trying to do. I come, I guess, to
7 represent the spirit of our community, and represent the
8 philosophy of our community out in Henkins.

9 Our folk out there are pretty well disturbed about
10 the fact that of turning the sewer into Lake James, and
11 there is a little feeling on my part. I have fished at
12 Lake James since I was quite young, and it is really my
13 sportsman's paradise through the years. I have always
14 loved it, beautiful clear waters of Lake James. I fish
15 on it now, but the water is not so beautiful as it was a
16 few years ago. I hope you will seek to do everything we
17 can to keep it pure and clean.

18 If this will help, about dumping this sewer in another
19 section, I am certainly for it. I know you have already
20 had the pros and cons discussed and there is no point of
21 my infringing upon your better intelligence because
22 you are fully equipped for this and you have done it,
23 surveyed and studied it. I know you have discussed already
24 the possibility of the flood waters out in the out area
25 that might destroy any filter plant that may be put out

1 there. You have already discussed the possibility of the
2 power failure and you have already discussed the possibility
3 of mechanical failure. You have probably already discussed
4 the odor that we may be receiving in our community from
5 this by the bulk of our community.

6 Let me say if you possibly can do otherwise, please
7 do it, and we appreciate it.

8 (Applause.)

9 THE CHAIRMAN:

10 I would like to call the next witness, Mr. Ronald
11 Shreping.

12 MR. RONALD SHREPING:

13 Mr. Chairman, ladies and gentlemen, I am a young
14 man 26 years old. To some of you all that may be that
15 seems kind of babbyish, I know to someone in their 30's
16 that think I am kind of a young man.

17 From the day that I was old enough to toddle around
18 my parents took me to Lake James. You know, this is
19 probably a familiar story to a lot of people, and it is
20 nothing new. I grew up to love that lake. I have come
21 here today because I love the lake, and I like to count
22 myself a fairly intelligent person and came to talk
23 with intelligent people, so there is no question there.

24 I am not an engineer, I can't engage in an esoteric
25 conversation about this factor and that factor, you know.

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1 I am not going to get into some kind of emotional
2 tirade, weeping, flash about, you know, and try to cry and
3 persuade you with emotions. It is just, let me say this,
4 I grew up with the lake. I have always looked forward to
5 taking my children to the lake. I have heard the pros and
6 cons this morning, and, you know, I really don't think
7 that you gentlemen of the board have heard anything today
8 that you didn't already know. I don't think there is
9 really been anything new that you didn't already know.

10 It seems to me what we have heard this morning,
11 boils down to money, as compared with intangibles.

12 Intangibles, that is like when I go to the lake and
13 I take my wife and we have saved all winter for a boat so
14 we can buy ourselves a boat. We have got ourselves a boat,
15 we have been married, she is wearing my first boat on her
16 hand, see, and so, we got us a boat, and an intangibles
17 are the kind of things where you go up to the lake and you
18 sit there and look at your wife and you think about
19 your children to come and here again, I say I am young, I
20 am young, but, you know, you look around and there is
21 this beautiful lake and you have seen other lakes, and
22 those are the intangibles. That is one of them. You just
23 sit there and get that good feeling, laying out in the sun,
24 and it is a good, fresh smell, you know, that is Lake
25 James.

1 I think some gentleman here from Valdese said awhile
2 ago, "I am proud to bring my out-of-state friends to Lake
3 James." Me, too. I had some up Sunday from Georgia.
4 They couldn't get over it, said, "What a beautiful lake,"
5 and the mountains and everything, see, those are intangibles.
6 Those are intangible things and so as I listened to people
7 talk this morning, I realize that it was going to cost
8 more to put this facility on Muddy Creek, I knew that, but
9 how much is it going to cost if we pollute the lake? What
10 kind of price do you put on that, you know.

11 I have heard all of the factors and the money talked
12 about, we had the backup electrical facility, we have
13 this, and we have that to minimize the danger, to minimize.
14 What is meant, "minimize"? We are all human beings,
15 facilities that are man-built are fallible, they break
16 down, I am sorry, even the lights might go off this morning,
17 we don't know. We sort of count on them not to. I am
18 just saying that what is the old saying, the best laid plans
19 of mice and men, I know your intentions are good. I
20 wouldn't be here this morning if I thought they were other-
21 wise, and like I say, I don't question your intelligence.
22 I know you want the best and you want a good treatment
23 facility. We all do, but here again we are balancing
24 out the cost of dollars which I know are available. I
25 know that there is money. I work for the State. I know

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1 there is always money for something that needs to be
2 done. If we didn't have an alternative, I wouldn't be
3 here this morning. I know there is an alternative, so,
4 just to save time, like everybody has tried to do, just
5 let me make a plea. I don't have to make a plea to your
6 intelligence or your concern, just a plea to your reason,
7 that we are basing a judgment maybe here on dollars as
8 compared to being the intangibles of my children being
9 able to enjoy the lake. Please don't take that away from
10 me. Don't deprive me of that pleasure. Don't deprive
11 me of that, any of us of that pleasure, to take our
12 children, our grandchildren to that lake. It is hard for
13 me to realize how anybody who has ever been fishing, see I
14 don't know how much of you fish on the lake or ski, and
15 I like to ski and swim, I know a lot of people like
16 to fish, it is hard for me to believe that anybody who
17 has ever done any of these things on the lake would be an
18 accomplice in any kind of action, that would in any way
19 lessen the quality of the water. See, I can't comprehend
20 that really, so, like I say, I don't know how many of you
21 really enjoy the lake. I just know that I did, and that
22 is personal, but if we are going to base it on money versus
23 intangibles, let's give -- we are talking about the
24 money, we have talked about the other plans, we have
25 talked about the physical and the engineering factors.

1 Can't we just talk a little bit about it and consider the
2 intangible factors of the future, the future generations,
3 we have all heard that, but we -- can't we consider that;
4 give them a little more thought, that is the only way I
5 can make my case on, you see, I have no notes, it is
6 purely a personal thing. I have grown up with it.

7 Let's consider those intangibles, let's consider
8 ten years from now when we know that things are going to
9 go wrong with the plant, that invariably something will
10 happen, as it has in the past. Other systems has backed
11 up, other systems have broken down, there have been days
12 when they have had to run the stuff straight through.

13 I just appeal to your reason. Please let's not lessen
14 the quality of this lake, the water quality, if anything,
15 let's improve it and I thank you for your time.

16 (Applause.)

17 THE CHAIRMAN:

18 At this time we have no other witnesses registered,
19 but to make sure we can take care of those who may come
20 in late, and maybe want to make a second statement, we
21 are going to recess for some minutes and then come back
22 in at 10 after 10:00 and hold the record open until
23 10:30, at which time we close.

24 If there are any other witnesses, register to speak.

25 (Whereupon, there was a short recess.)

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1 THE CHAIRMAN:

2 May we call the meeting to order again, please.

3 Okay. We have had a few more witnesses that have
4 registered and at this time I would like to call Mr. M.
5 L. Williams.

6 MR. M. L. WILLIAMS:

7 Ladies and gentlemen, distinguished members of the
8 panel, I am M. L. Williams. I am here as the Gulf Oil
9 distributor at Black Mountain, North Carolina. I live
10 in Buncombe County, but nobody in Marion or Burke County
11 or McDowell County thinks more of Lake James than I do.
12 I have been coming to Lake James since 1930 or before,
13 and absolutely long before this young man came and said
14 that he was here, he had been coming with his family.

15 I commend the City of Marion and the McDowell County
16 in trying to make progress in their sewage system, but
17 I think that they will be making a grave error if they
18 use Lake James as a recipient of their affluent.

19 I have a cottage on Lake James, in Morgan Cove.
20 I have a houseboat on Lake James, and my family and I
21 have been using it for many, many years.

22 My mind gets blank when I try to say something, but
23 I would sincerely urge the officials to use some alternate
24 means, if possible, a million or two dollars at this point
25 will pale into insignificance when you think of five or

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1 ten years from now it may take \$50 million to clear this
2 plant, the lake.

3 I am a member of the Metropolitan Sewer Board in
4 Buncombe County, and we are spending about \$10.5million
5 in the last few years for waste treatment plants. We
6 have five plants in already built in Buncombe County,
7 five waste treatment plants, and the engineers have
8 these plants when they are finished, installed the plaque
9 in the administration building of each plant, and on the
10 plaque are the names of the people that were responsible
11 for those plants, including the members of the Metropoli-
12 tan Sewer Board, and I am right proud of the fact that
13 my name is on those plaques, but I will have to say that
14 if they build this plant within five miles of my cottage
15 at Lake James, that I would be very unhappy to see my name
16 on the plaque in the administration building.

17 Thank you.

18 (Applause.)

19 THE CHAIRMAN:

20 I would like to call Mr. Joe McGimsey.

21 MR. JOE MCGIMSEY:

22 Mr. Chairman, I am Joe McGimsey, and I am a member
23 of the Board of County Commissioners of Burke County.

24 The Board of County Commissioners of Burke County
25 asked me to convey that they are here today, that they

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1 want to go on record as opposing the effluent to Lake
2 James, and I thank you.

3 (Applause.)

4 THE CHAIRMAN:

5 The next witness is Mrs. Ethel Anderson.

6 MRS. ETHEL ANDERSON:

7 I am Ethel Anderson and my husband and I are building
8 a new home on Lake James. We are from Virginia Beach.
9 I have lived there all of my life, but we just fell in
10 love with this area when we came here to visit and we
11 just love the mountains and we just love this lake, and
12 last summer while we were still living at Virginia Beach
13 right at the height of the resort season for several
14 days, the beaches were closed because of pollution from
15 the malfunction of a sewage treatment plant.

16 Now, this happened on the shores of the Chesapeake
17 Bay in the Atlantic Ocean, and you can imagine how frus-
18 trated we felt before we even got our home built here that
19 these things are contemplated for Lake James.

20 (Applause.)

21 THE CHAIRMAN:

22 I call Mr. George Verbruggen.

23 MR. VERBRUGGEN:

24 There have been information and rumors being passed
25 around that our organization was or has delayed the

1 sewage treatment plant to be built here on Catawba River,
2 in other words, it is all our fault that it is
3 being delayed but I would like to point out that this
4 is not so, because in 1969 O'Brien & Gere were the
5 engineers for the City of Marion, and at that time they
6 proposed a plan which would put the sewage disposal plant
7 on the Corpening Creek site, 5 million gallon plant,
8 with proposals to update it to 10 million gallon and
9 this plan was turned down by the City of Marion.

10 They had ample time in which to correct their
11 sewage problem, in our opinion.

12 (Applause.)

13 THE CHAIRMAN:

14 I would like to call Mrs. John Barron.

15 MRS. JOHN BARRON:

16 I am Mrs. John Barron from Morgonton, North Carolina
17 I am not like that cute little lady, Carole Wright, that
18 was just up here, but I am not representing the women's lib.

19 I am here because my husband is a physician and very,
20 very busy and very, very interested in what you folks in
21 Marion are trying to do.

22 First of all, his work is because of deliberate
23 and nondeliberate lack of consideration of others, and
24 I know many, many people in Marion and I know that if
25 they would actually stop to think that they really are not

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1 only hurting their own county, in driving up this morning,
2 it seemed amazing to me that Burke County would have to
3 come up here and fight this because Lake James is closer
4 to you all than it is to us. Had you thought of that?

5 Not only that, but have you been to Lake James,
6 you men on the panel, those of you that are considering this,
7 in the last two or three years, we have had the lowest water
8 and we have had the highest water that is in the history
9 of Lake James. Now, those are two extremes. If we
10 would remember, our lake is not a flowing water, it is
11 a reservoir. Those that have wells, all of us drink
12 water from that process. We eventually even have those
13 that don't, those that retire and that don't ski or fish.
14 They cannot survive on the lake.

15 So, in planning our future hospital in Morganton,
16 we have a new hospital, and we service a lot of Marion
17 patients in Morganton, we built a foundation that we
18 can double the capacity, we can stack two more floors on
19 top of our building, and I know that if Marion has had
20 a struggle to build a plant that will take, to take
21 care of Marion now, I do know you don't have the money
22 to take care of the plant.

23 So, I think if you will realize as Ronald Shreping
24 said, consider the tangible over the nontangible, I
25 think you will find that if you didn't have alternatives,

1 if that was the only way that Marion could survive, then
2 your consideration would be feasible. Otherwise, I think
3 that everyone should really think of this the second time
4 before they put it into effect.

5 Thank you very much.

6 THE CHAIRMAN:

7 As the last witness, I have asked Dr. Darwin Coburn
8 to come and discuss the changes that we made in the
9 original plans for the treatment plant with regard to
10 treatment above secondary level treatment.

11 MR. COBURN:

12 Mr. Chairman, members of the panel, ladies and
13 gentlemen, my name is Darwin Coburn. I am Chief of the
14 Water Quality Division with the office of Water and Air
15 Resources, and I would like to make a point of clarification
16 for the record as to the treatment facilities that is now
17 proposed for this Lake James project over what was
18 initially proposed.

19 Initially when the City of Marion retained its
20 engineers and prepared the record, we were called in to
21 make an investigation. The project was conceived to be
22 a secondary treatment facility, which means that the
23 plant would be capable of reducing approximately 85
24 percent of the pollution characteristic of the waste.

25 As a result of the concern that you citizens of

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1 this area and during the process of the preparation of
2 the environmental protection agency, we discussed the
3 matter with many qualified people. You heard Mr. Ver-
4 bruggen read a letter to you from Dr. Charles M. Weiss,
5 professor at the University of North Carolina, Chapel
6 Hill. Dr. Weiss's letter was prepared on the basis of
7 the initial project, and in this letter he recommended
8 that since this was a phosphorous-limited situation, that
9 the plant not be located in this area, but as a result of
10 our discussion with Dr. Weiss, the treatment process was
11 changed to incorporate the very thing that he stated
12 would be damaging to the water of Lake James, and that,
13 that is facilities to remove phosphorous, so included in
14 the project today are those advanced wastewater treatment
15 facilities which will remove phosphorous, which is
16 one of the nutrients that is needed to cause a eutrophication
17 fication process to develop..

18 In addition to this we are requiring over and beyond
19 additional conception the addition of an aeration basin
20 which would assist two-fold purposes. One is for the
21 dissipation of chlorine which may be harmful to fish and
22 animal life in the Lake James, and, number two, aerators
23 to impart air, dissolve oxygen into the waters which is
24 needed for all organic matter to decompose.

25 So, for the record, Mr. Chairman, I wanted to point

1 out that the project discussed in the environmental impact
2 statement is different today than the project initially
3 conceived by the City of Marion and its consulting engineers.

4 Thank you.

5 THE CHAIRMAN:

6 At this time, as Chairman, I would like to indicate that,
7 of course, as I said before, we will have to take all of
8 these comments into consideration in preparing what is
9 called the final environmental impact statement.

10 We will have to make recommendations to the Regional
11 Administrator and call to his attention the concerns that
12 have been expressed here and we will do that very thing
13 before a final decision is made and if there are no other
14 witnesses that wish to speak at this time, are there
15 any?

16 (No audible response.)

17 THE CHAIRMAN:

18 Then I call this meeting, this hearing on the environ-
19 mental impact statement, for the City of Marion wastewater
20 treatment facility to be concluded.

21 I should add that the hearing record will remain
22 open for 15 days for any persons who would like to supple-
23 ment their remarks or any persons who were not able to be
24 here today who would like to make comments. They can
25 send it to our office in Atlanta.

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1 Thank you.

2 (Whereupon, at 10:55 o'clock, a.m., the above-
3 entitled hearing was adjourned.)

4 -o0o-

5 C E R T I F I C A T E

6 G E O R G I A)
7)
8 FULTON COUNTY)

9 I, L. Lee Lawson, being a Notary Public in and for
10 the State of Georgia at Large, do hereby certify that the
11 above and foregoing consisting of pages 1 through 51,
12 inclusive, is a true and correct transcription of my steno-
13 graphic notes taken at the said time and place, and I further
14 certify that the same were reduced to typewriting by me
15 personally.

16 WITNESS my hand and official seal at Atlanta,
17 Fulton County, Georgia, this the 2nd day of August 1973.

18 
19 L. LEE LAWSON

20 Notary Public, Georgia State at Large
21 My Commission Expires Aug 11, 1974

22 (SEAL)

23 -o0o-

ATLANTA COURT REPORTERS, INC.

THE UNIVERSITY OF NORTH CAROLINA
AT
CHAPEL HILL

3

THE SCHOOL OF PUBLIC HEALTH
DEPARTMENT OF
ENVIRONMENTAL SCIENCES AND ENGINEERING

July 19, 1973

Chapel Hill 27514
919 966-1171

Mr. George J. Verbruggen
Route 2
Nebo, North Carolina 28761

Reference: Proposed Marion Sewage Treatment Plant and Discharge to Lake James

Dear Mr. Verbruggen:

With reference to your recent telephone request for information concerning the effect of the proposed Marion sewage treatment plant effluent when discharged to Lake James, the following may be of some use in your presentation at the public hearing on July 25.

In the summer and fall of 1970, as part of our continuing investigations on eutrophication, we used the waters of Lake James for a comparative study on the potential impact that a proposed phosphate substitute in detergents might have on surface waters. Lake James was chosen as one of the three lakes used because it represented for North Carolina waters one of the more oligotrophic (low nutrient level) bodies of water in North Carolina. Our tests showed that the addition of secondary treated sewage to water samples from Lake James resulted in considerable growth of our test algae as compared to sewage which received tertiary treatment and a substantial amount of the phosphorus in the sewage had been removed. These tests indicated that algal growth in Lake James is currently phosphorus-limited. If phosphorus should be added from a sewage effluent algal growth could become extensive. The level of treatment at the proposed Marion plant would not remove the critical nutrient materials.

The potential for algal problems in Lake James, if the treated sewage effluent should be introduced, is further compounded by its unusual clarity. Solar energy necessary for the growth of algae penetrates to a greater depth and thus involves a greater volume of water.

In my opinion it would be a mistake to compromise the quality of water as now found in Lake James by allowing the effluent from the Marion plant to enter the Catawba River and flow into the lake. A more satisfactory solution would be to bypass the effluent around the lake and enter the Catawba River on the downstream side of the dam that forms the Catawba arm of Lake James.

+ app

Very truly yours,

Charles M. Weiss

Charles M. Weiss
Professor of Environmental Biology
Acting Head

Attendees

Mrs. John Barron
Morganton, North Carolina

Max R. Boyd
Marion, North Carolina

Miss Betty Brown
Nebo, North Carolina

Mrs. Russell Burnett
Marion, North Carolina

Russell Burnett
Marion, North Carolina

H. T. Chapman, Jr.
Charlotte, North Carolina

Everett Clark
Marion, North Carolina

D. C. Coburn
Raleigh, North Carolina

Donald E. Calhoun
Nebo, North Carolina

Rev. Connor L. Corkran
Marion, North Carolina

John S. Crawford
Old Fort, North Carolina

Michael S. Gibson
Marion, North Carolina

John Gouge
Marion, North Carolina

Glenn Grindstaff
Marion, North Carolina

Oren Hall
Marion, North Carolina

G. Hanford Hamly
Marion, North Carolina

Cathy Hobbs
Marion, North Carolina

Dewey Hobbs
Marion, North Carolina

Gene Hollifield
Marion, North Carolina

Raynd Hollifield
Marion, North Carolina

Howard L. Houch
Morganton, North Carolina

Gallhin Hughes
Hickory, North Carolina

R. E. James
Marion, North Carolina

Bill Jordan
Marion, North Carolina

Mrs. Charles Josey
Old Fort, North Carolina

Gerald Lewis
Nebo, North Carolina

E. T. Lowry
Marion, North Carolina

Carl P. Meyers
Morganton, North Carolina

B. B. Mull
Morganton, North Carolina

W. F. Park
Nebo, North Carolina

M. W. Puette Raleigh, North Carolina	Mrs. Buna R. Hitt Morganton, North Carolina
Mrs. Ronald Shuping Morganton, North Carolina	David Martin Nebo, North Carolina
Harry M. Stone Nebo, North Carolina	Dwight Martin Nebo, North Carolina
Richard Tennant Marion, North Carolina	William D. Martin Nebo, North Carolina
Bruce Taylor Marion, North Carolina	Rex. J. Bumgarner, Jr. Valdese, North Carolina
Marvin Vierra Hickory, North Carolina	Vincent Krewr Nebo, North Carolina
J. D. Wall Marion, North Carolina	Kate Krenz Nebo, North Carolina
Dr. & Mrs. S. H. Westbrook, Jr. Nebo, North Carolina	Lt. Col (Ret.) & Mrs. L. E. Davis Nebo, North Carolina
Mrs. John Whisnant Morganton, North Carolina	Edmund Kaiser Nebo, North Carolina
Charles E. Whitney Marion, North Carolina	Charlotte Kaiser Nebo, North Carolina
Sunny N. Brown Morganton, North Carolina	Jerry D. Beck Morganton, North Carolina
Mr. & Mrs. Philip Pitts Nebo, North Carolina	Donna Wall Marion, North Carolina
Mrs. Harry Stone Nebo, North Carolina	Robert G. Wall Marion, North Carolina
Mr. & Mrs. H. R. Audurn Nebo, North Carolina	Laura Fischer Nebo, North Carolina
Mike Hollifield Marion, North Carolina	Frank Fischer Nebo, North Carolina
Mr. & Mrs. James Monehan Nebo, North Carolina	C. P. Zimmerman Holiday Shores, North Carolina
Wayne W. Hitt Morganton, North Carolina	Jack W. Sampson Nebo, North Carolina
Norine R. Whitely Holiday Shores, North Carolina	Mrs. George Verbruggen Nebo, North Carolina

Gerald Verbruggen
Nebo, North Carolina

Mack Johnson
Marion, North Carolina

Mrs. Fred Walters
Morganton, North Carolina

Mr. & Mrs. C. C. VanDenburgh
Nebo, North Carolina

John L. Ervin
Morganton, North Carolina

Mrs. J. O. Elliott
Nebo, North Carolina

Cecil Robinson
Glen Alpine, North Carolina

Richard M. Perkins
Morganton, North Carolina

Garland B. Franklin
Marion, North Carolina

Mrs. C. P. Greyek
Morganton, North Carolina

Mrs. F. W. Davis
Nebo, North Carolina

Mr. & Mrs. Thomas V. Faulkner
Nebo, North Carolina

W. R. Ledbetter
Marion, North Carolina

M. L. Williams
Black Mountain, North Carolina

Joseph A. McGimsey, Jr.
Morganton, North Carolina

APPENDIX B
LETTERS OF COMMENT

7-7-73

Dear Mr. Moore:

My wife and I are among the many thousands who enjoy the relatively clean waters of Lake James in western North Carolina.

We wish to join the many other people in protesting the building of the sewage treatment plant on the Catawba River some two miles above the entrance to the lake

Since there is a reasonable alternative to allow this treatment plant to be constructed elsewhere, we do hope you will use the influence and power of your office to prevent its' construction on the Catawba River.

Sincerely



Mr. & Mrs. W. W. Jones

Box 626
Morganton, N. C. 28655

The Charlotte Observer

Thursday

January 27, 1972



**Kays
Gary**

She's 'Just A Housewife.'

But One Who Never Gives Up

She won't like this. She won't like this at all because she places herself in the "just a housewife" category, anxious to see a \$250,000 swimming pool built for Broughton Hospital, Morganton. And this isn't just about a possible \$250,000 swimming pool.

Mrs. John W. McClung Jr., 2521 Croydon Road, has a dazzling smile, a soft, persuasive voice and it's something of a surprise to hear her speak of a 20-year-old son and of hundreds of others like him.

He was a beautiful baby boy, but clearly something was wrong by the time he was 3 years old. She sought the help of psychologists, psychiatrists and could determine only that he was seriously disturbed. There was really nothing much that could be done but Nancy McClung, we have learned from others, wouldn't give up.

It was back in the 40s that she read an article about a Dr. Bernadine Schmitt, who had achieved remarkable results in working with retarded children.

Nancy took herself to Mississippi to see the doctor and persuade her to come to Charlotte for a small honorarium and expenses in order to speak to parents of retarded children.

She also approached Dr. Elmer Garinger, then superintendent of schools, who was responsive to the need for services to the retarded. Next, the Jaycees became interested, sponsored Dr. Schmitt's well publicized visit and more than 500 turned out to hear her.

The result was Jaycee sponsorship of the first class for the retarded at Alexander Graham Junior High, but the teacher limited the class to children ages 12-14. Nancy McClung's child was barely school age.

• No help

A Beginning, But Still No Help

But from this beginning a Special Education Department was organized. H. Jay Hucks was hired as its head and the program expanded to include younger children. Nancy's child was to be assigned to a class at Dilworth Psychological Institute, however, brought a decision that Nancy's boy was "emotionally disturbed, unsuitable for school training." No help. Nancy and other parents then plugged away for some class for school rejects, until one was finally established at Thompson Orphanage. Her little boy never improved.

Nancy herself taught him how to tie his shoes, to ride a bike and psychiatric treatment continued for years until, at age 15, his depression became so severe and his physical condition so deteriorated that he was taken to Broughton. And there he has lived for the past 13 years.

Once a week or every 10 days Nancy makes the trip to Morganton and few lay persons could know more of chronic problems there because of staff shortages. She sees the hundreds of young retarded, transferred from Western Carolina Center at age 18, other hundreds of alcoholics, drug addicts, and elderly, some of whom have never been out of their wards for years who can just sit and wait to die.

In all these years Nancy can count her son's smiles. They have come in summer when she has been able to take him to an isolated spot on Lake James, help him change to swim trunks, put him in a life jacket to which she ties a long rope.

He wades out there until he is floating and he splashes and laughs and swims about until she must haul in the rope.

Broughton has long sought a swimming pool for its steady population of about 2,200 though more than 10,000 are treated annually. Each legislative term state appropriations never reach quite that far. And because it is easier to get money for functional buildings than for personnel, sometimes "care" can be called "custodial" in the meanest sense of the term.

Broughton's Dr. Capers Smith doesn't see a pool as a luxury. It would provide the only recreational outlet usable by all with therapeutic value for elderly of stiffened limbs, for other patients who need some way to "let off steam" the hundreds suffering terrible boredom. Moreover, it would be a year round facility.

'Here's An Angel'

When Mrs. McClung came to me with her ideas and enthusiasm, he said, "I remarked, 'Here's an angel'."

Nancy McClung knows nothing of the background for the column to this point.

She came in here asking support and ideas to raise \$250,000 for a swimming pool at Broughton in the hope that the legislative relief of this continuing unmet request will be more available to providing a more adequate staff.

"A quarter of a million is a lot of money," I said. "A lot of people are looking. Had she made any effort to get something started?"

She had contacted some top people at Wachovia Bank & Trust who later told me, "She was a real persuader." They agreed Wachovia would display any campaign materials in all its banks and would set up a means for people to make special deposits to the fund. It and when she got the materials and the organization.

Nancy McClung had latched onto Sen. Herman Moore who promised that he and American Credit would help provide campaign materials. Today she is headed for an appointment with U.S. chief Gordon Berg for advice on putting together an organization in 32 counties served by Broughton.

Only a housewife.

And mother who never quits.

Her address for anyone in western North Carolina willing to help is 2521 Croydon Road, Charlotte.

Preceding page blank

July 25, 1973

Rt. 5, Box 524-B

Morganton, N.C. 28655

Dear Sirs:

We attended the public hearing in Marion this morning concerning the building of a sewage treatment plant on Catawba River that would empty into Lake James. As I am not a public speaker, I am writing to you instead.

We are a family of four with two young sons and are year round residents at Lake James. We love and enjoy the lake more than we could ever tell you.

Much was said at the hearing about the pleasures the lake affords. This is very true but it is also a source of food supply to our family. For the price of hooks and bait, we have caught 30 to 40 lbs. of fish this summer. This has cut the cost of our grocery bill considerably. Since food is a necessity to everyone, surely you can realize the savings this represents to us and to many other families in this day of high meat prices.

There is no guarantee from you or the town of Marion that the fish in Lake James will be saleable if they survive at all.

Please reconsider your recommendation and don't deprive us of this food supply that Lake James affords.

Sincerely,

Mr. & Mrs. John L. Thibault
Rt. 5, Box 524-B

Morganton, N.C. 28655

WESTERN PIEDMONT COMMUNITY COLLEGE

OFFICE OF THE PRESIDENT

MORGANTON, NORTH CAROLINA 28655

July 26, 1973

Mr. Jack E. Ravan
Regional Administrator
United States Environmental Protection Agency
Region IV
1421 Peachtree Street, N. E.
Atlanta, Georgia 30309

Dear Mr. Ravan:

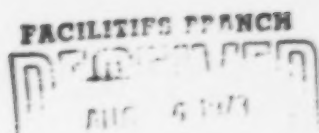
This is in response to your letter of July 9, 1973, in which you asked for comments on the draft environmental impact statement for Marion, North Carolina. As a private citizen, I am opposed to any waste discharge into Lake James and am therefore in opposition to the plans which call for discharge into the Catawba River. As the President of Western Piedmont Community College, however, I defer to the technical expertise of our biology faculty. They have informed me that they would concur with discharge of waste into the Catawba River provided that the facility be designed to meet EPA standards and further that additional nutrient removal equipment be installed and put into operation prior to operation of the facility to reduce the chances of eutrophication of Lake James and pollution of the Catawba River. They feel that the additional costs stemming from meeting EPA standards and providing additional nutrient removal equipment is a small price to pay to prevent ecological imbalance of Lake James and the Catawba River. The biology faculty have also informed me that if the two provisions cannot be met that they would recommend a facility for discharge into North Muddy Creek.

Should you need further information, please let me know.

Very truly yours,


Gordon C. Blank
President

pb



Burnetts Landing, Hopkin
Route 6, Box 831
Marion, North Carolina 28752
July 31, 1973

Environmental Protection Agency
1421 Peachtree Street
Atlanta Georgia 30309

Dear Sir

I am writing in regard to the proposed waste water plant for Marion, N.C. I am especially concerned because I own Burnetts Landing, also 40 acres of land at the mouth of Lake Gomez where the Cataumet river first enters the Lake.

I feel my business stands in jeopardy if this plant is placed at the proposed site. I know the flooding conditions in that area. I was borned and reared within a mile of my present address. I think this is a main factor to be considered. There is bound to be numerous amounts of maintenance problems from this. I know all the facts, there will be pollution to certain degree. I am a fisherman myself and would like our lake kept as clean as possible. I plan on retirement to live here and sincerely wish it to be even cleaner than it is at present. Industry has already polluted North Fork river, where fish used to be in great quantities. (something should be done here also)

If the desires of all the thousands of vacationers are to be considered, I can honestly speak for the majority who come here from all the surrounding counties. All want the lake kept clean and want

this plant placed elsewhere. We don't want to
take any chances with our lake, there are other
ways to solve this problem, but we can't have
another lake.

We trust you will decide in the best interest
of all, which will be the favor of the majority,
to find another location.

Sincerely,
Russell Burnett
owner & operator
Burnetts Landing

August 2, 1973

Mr. Sheppard N. Moore, Chief
Environmental Impact Statement Staff
Environmental Protection Agency
Region IV
1421 Peachtree Street, N.E.
Atlanta, Ga. 30309

RE: Draft Environmental Impact Statement
Marion, North Carolina

Dear Mr. Moore:

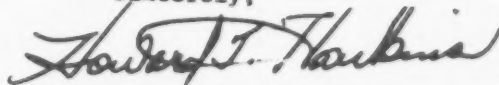
I have read and studied the Draft Environmental Impact Statement for the City of Marion.

It is my personal opinion, based on information presented in the Environmental Impact Statement, that the Marion waste treatment plant proposed to be located on the Catawba River will have no detrimental affect on Lake James.

I agree with the recommendations of the Environmental Protection Agency regarding the incorporation of alum treatment for removal of phosphorus and also the incorporation of reaeration of the effluent prior to discharge for the removal of residual chlorine.

As a concerned citizen of the City of Marion I am well aware of the many endless hours the Mayor and City Council have spent in the preparation of this project. I feel they have done all possible to provide the services needed by our citizens, both now and in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Howard I. Hawkins".

Howard Hawkins

Dear Sir:

I would like to cast my vote
against the sewage treatment plant
dumping its waste into Lake
James.

This lake is in bad enough shape
as it is. It would be much better
for our community if the plant
could dump into Muddy River instead.

Lake James is the only lake in
this area that the communities can
use for recreation. It would be
a crime to ruin it further.

Thank you for your consideration.

Sincerely,
Douglas Galighty
Box 603
Morganton, N.C.

Nebo, N. C.
August 2, 1973

Mr. Shepperd N. Moore
Chief of EIS Staff
1421 Peachtree St. NE
Atlanta
Ga. 30309

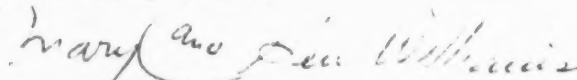
Dear Mr. Moore:

We join with our neighbors and the many hundreds of interested citizens who have urged you to reject the plan to build a sewage disposal plant for the city of Marion, N. C. on the Cawawba River above Lake James.

We do not deny the need for the plant and the right of the people of Marion to have a new plant, but we do feel that it should be built at an alternate site. This lake is one of the very few clean lakes left and should be guarded carefully for the use of all the people who can and do appreciate its beauty and pleasure. If there is the slightest risk, and truly there is much risk, then it is unthinkable to take that chance.

We sincerely hope that you will recommend that the plant be build at a site other than the Catawba River.

Sincerely yours,



Mr. and Mrs. Ben Williams

Nebo, N. C.
August 2, 1973

Mr. Sheppard N. Moore
Chief, ~~EEO~~ Staff
1421 Peachtree St. NE
Atlanta,
Ga. 30309

Dear Mr. Moore:

Along with the many hundreds of people who have become interested, we urge you to reject the plan to build a sewage disposal plant on the Catawba River above Lake James.

We appreciate the needs of the city of Marion and surely are not against their having a new plant, but we urge that an alternate plan be used rather than risk the danger to Lake James.

There are so few clean lakes left now, and with all the emphasis on clean environment, it seems intolerable to build a plant which might even have the slightest risk to this lovely lake.

We sincerely hope that you will recommend that the plant be build at a site other than the Catawba River.

Yours truly,

*Yours truly,
Harry H. Stone*
Mr. and Mrs. Harry Stone

Ref.
Marion N.C. Sewage Disposal Plant

Morganton, N.C.
Aug. 3, 1973

Environmental Protection Agency
1421 Peach Tree Street, NE,
Atlanta, Ga. 30309

Dear Sirs,

I would like to mention that I do not believe that anyone has enjoyed the recreational facilities of Lake James any more than my wife, myself and family. It is hard for us to believe that your agency will permit the Marion Sewage waste to be dumped into Lake James. If you do this it will be the beginning of a trend that will have no end, nor will we have any control over what happens to all sewage waste in the future. Past experience in other cities show that waste disposal gets much worse before it gets better. Now is the time to control this problem and my family pleads that you change your opinion on this matter in order that we can always claim Lake James to be an uncontaminated lake. Now is the time to do this, please.

Thank you,

Wayne W. Hitt
Wayne W. Hitt

AL

JACK

DENNY

DON

SEYMOUR

FILE

ACTION

August 4 1973

Mr Sheppard N. Moore
Chief EIS Staff
1421 Peachtree St
Atlanta Ga 30309

Dear Sir,

I attended the hearing
in Marietta N. C. last week
in regard to the proposed
new sewage treatment plant
to be placed on the Catawba
River in McDowell Co.

For reasons related
to the recent death of my

Mustard, It has come to
my attention that my daughters
in Indiana, California and
Oregon have expressed an
interest in retaining my
beautiful water front property
on Lake James.

They and their children
would then have this
to enjoy all are active in
water-contact sports.

The present problem affects
persons far beyond the
boundaries of Mc Dowell Co.

do you believe that this
would continue to be their

v

desire were they to know
that there was some question
of the possibility of future
contamination of the
waters of this lake?

I have $3\frac{1}{2}$ acres,
580 ft of lake frontage
on Lake James, and a
beautiful home - all
acquired at no small
outlay of money and effort.

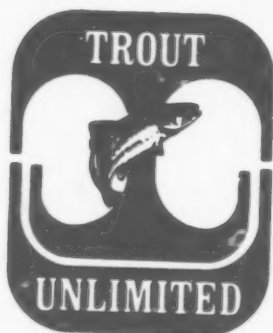
The influence and
effect of any shortsightedness
now could have more

to do with the use or
non-use of this beautiful
area than we can
for-see at this time.

Unless a way can be
guaranteed to handle problems
that might arise in
connection with such
sludge disposal - some
twenty years from now -
I would say that it should
not be placed on the
Catawba River.

Sincerely

Wm J. O. Elliott
Neb., N. C.



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Northwestern Chapter

PHIL HOWERTON, JR.
Piedmont Chapter

FRANK PAYNE, JR.
Daniel Boone Chapter

J. V. JONES
Foothills Chapter

August 4, 1975

Environmental Protection Agency
Region 4 Headquarters
Atlanta, Georgia 30301

Gentlemen:

The North Carolina Council of Trout Unlimited representing nine chapters wants to go on record opposing the placement of the Marion, N.C. sewage treatment plant on the Catawba River.

The former Linville River bed below the powerhouse on Lake James is designated public Mountain Trout Water for a distance of one mile below the dam to its confluence with Muddy Creek.

This resource must be protected. Cold, highly oxygenated Trout water is a prime resource.

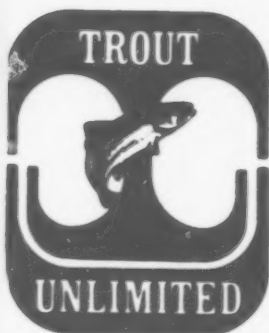
The existence of an excellent alternative to allow placement of this plant on Muddy Creek is mandating.

The North Fork of the Catawba River and Muddy Creek have winter migrations of spawning Rainbow Trout.

Just a few years ago the American Thread Plant at Sevier had an accident dumping poisonous dyes into the North Fork of the Catawba. Hundreds of lunker size Rainbow Trout were floating at its confluence with Lake James.

The value of this clean, cold water fishery is inestimable. Thank God Muddy Creek exists for avoiding any threat to Lake James and its great tail race trout fishery.

The Soil Conservation Service has built several dams on the Muddy Creek drainage and



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Piedmont Chapter

Daniel Boone Chapter

J. V. JONES
Foothills Chapter

2

others are planned. Hopefully, a dam on Muddy Creek near its confluence with the tail race waters of Lake James will settle out the silt and clear up the waters from Muddy Creek. This would produce a major trout fishery in the next 10 miles of the Catawba. A few lunker Brown and Rainbow Trout are caught from this section now. It could be almost as great as the Little Tennessee.

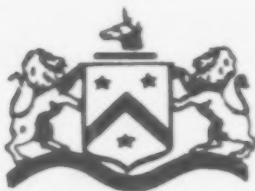
Respectfully yours,

Cameron H. Keels, Jr.
Cameron H. Keels, Jr.

Enc

cc: Lake James Environmental Assn.
Burke County Environmental Council.

McDOWELL CHAMBER OF COMMERCE, INC.



TWENTY NORTH LOGAN STREET

MARION, NORTH CAROLINA 28752

TELEPHONE 704-652-4240

6 August, 1973

Mr. Sheppard N. Moore, Chief
Environmental Impact Statement Staff
Environmental Protection Agency
Region IV
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Re: Catawba River Sewage Plant
Environmental Impact Statement
Marion, North Carolina

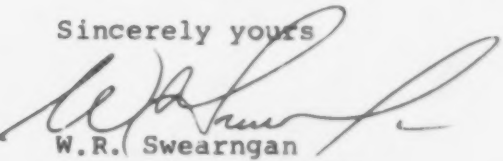
Dear Mr. Moore:

The Board of Directors has reviewed the above referenced impact Statement, and concurs with the recommendation of the Environmental Protection Agency.

For your information, the Board of Directors, on May 29, 1972, endorsed the Marion City Council's decision to build a waste treatment plant on the Catawba river. The Board of Directors felt this new endorsement was necessary, in view of certain modifications that have been made in the original plans. It is hoped the City of Marion will be able to proceed in the near future.

The Chamber of Commerce recommends approval for the City of Marion to proceed in their plan with the recommended changes incorporated in the Impact Statement.

Sincerely yours


W.R. Swearngan
Executive Director

WRS/ld

LAKE CITY OF THE MOUNTAINS

4A

September 19, 1973

Ronald V. Shuping
Laurel Hills Apts., #2
Morganton, North Carolina 28655

United States Environmental Protection Agency
Washington,
D. C. 20468

Gentlemen:

I am writing to request your assistance and guidance in a matter which is of grave concern not only to myself, but also to thousands of other people who live in North and South Carolina.

I reside in Morganton, North Carolina, a small city located about sixty miles northwest of Charlotte. Within twenty minutes driving time of Morganton there is a body of water called Lake James. It is a man-made lake and has a shoreline of approximately one hundred and fifty miles. The lake is fed by the Catawba and Linville rivers. Because of its unique location in the foothills of North Carolina it is a lake of exceptional beauty and remains relatively clear and pure even to this day. However the future of this precious recreational area is in jeopardy. It is for this reason that I, on behalf of myself and many other concerned people who enjoy the lake, would like to enlist your help in this matter.

Twenty miles to the west of Morganton there is a city called Marion. The City of Marion has proposed and is planning to construct a new sewage treatment plant on the Catawba River a short distance upstream from where it empties into Lake James. Of course we are opposed to this action and have voiced our opposition to the City of Marion through various meetings, public hearings and petitions. Let me make it clear that we are not opposed to the construction of the new treatment plant, but only to the location. An alternate location for this expansion and upgrading of their facilities is available, however, much to our dismay, political and monetary considerations are taking precedence over ecological and aesthetic ones.

I am neither a lawyer, nor an engineer. Therefore I cannot engage in esoteric conversations and dissertations dealing with legalities and engineering specifications. I would like to solicit your expertise and council as to what steps might be taken to ensure that this lake will not be contaminated.

-page 2-

A group of concerned citizens has joined together to form the Lake James Environmental Association. I am not an officer of the association, but at a public hearing on July 25th, 1973 I received the verbal permission of Mr. Finley Davis, the association's president, to enlist the aid of your organization. If you have any information to offer us, or if you need more facts relating to this problem, please contact me at the following address:

Ronald V. Shuping
Director of Television
N. C. School for the Deaf
Morganton, N. C. 28655

Any assistance you can give us will be greatly appreciated. I will be looking forward to hearing from you.

Sincerely,

Ron Shuping
Ronald V. Shuping

Marion, N.C.
Sept. 24, 1973
Environmental Protection Agency
Atlanta, Ga.

Dear Sir,

The Town of Marion + McDowell County
Are Planning on Putting a Sewer Plant
on ~~Atlanta~~ River which is Near Hawkins
Community, Hawkins is a fast growing Community
With 100 more or less fine homes, We are
building out there, but I don't want the
Town's — Toilet in my yard. They Can
keep their Resumes + Pollution in their Town
where it belongs - & Not bring their — out in
our beautiful Country Community + Pollute our
Clear River which runs into Lake James, the
Tourist Center of North Carolina. Please Help us.

Thanking you in Advance,

Sincerely,
Mr. + Mrs. Robert M. Allen
739 State St.
Marion, N.C. 28752

Burnsville, N.C.
Oct. 2, 1972

Dear Sir:

Please don't put the
sewage in Lake James. we
enjoy Lake James so much
for fishing, boating, swim-
ming and camping. we live
ten miles above Burnsville.
a little place called Perreola.
we drive 45 miles to the
Lake each time. we have
numerous families that enjoy
the same things. Don't
dis~~turb~~ only Lake
please!

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Sincerely, Mrs. Mrs. Ralph Lynd

CITY OF MARION

P. O. BOX 536

MARION, NORTH CAROLINA 28752

OFFICE OF THE MAYOR

August 1, 1974

Mr. Sheppard N. Moore
Environmental Protection Agency
Region IV
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

RE: Proposed Waste Treatment Plant
Marion, North Carolina

Dear Sir:

As Mayor of the City of Marion, North Carolina and speaking for the City Council and citizens of Marion, as well as McDowell County, we would like to thank you for your very fine assistance in regard to our proposed sewer treatment plant to be located on the Catawba River. We wish also to take this opportunity to ask you for your continued assistance and also to say a few words in our behalf after attending your hearing held July 25, 1974.

I feel that certainly our proposed project should be allowed to be completed. We have agreed to all changes you have proposed, and we also agree they are sound changes. We further feel that the opposition offers no real facts as to our project not being sound. They are instead taking a very selfish position and attitude.

We as the governing body for the City of Marion must take action which we feel will best suit our present needs as well as proposed future needs. This we have proposed and with your approval and also the approval of the State of North Carolina. We have worked long and hard on developing the project and feel the ultimate completion is essential to our City as well as much of our county. To further delay our project only puts us further behind in our wishes to grow and develop and be the kind of City and County of which our citizens can be proud. We also feel the results of our bond referendum also proves that our citizens approve of our proposed project and it is their wishes that it be completed.

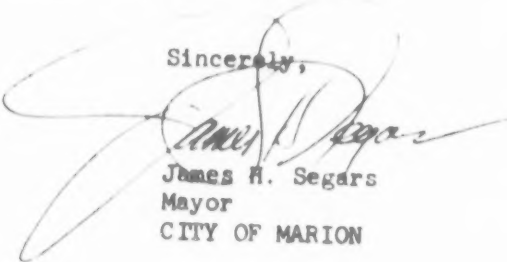
In regard to our proposed location, the Catawba River will not be harmed in any way according to all of our information. We also feel that it would be a gross injustice to deny us the privilege of using the Catawba River as it is already being used by others and therefore we would not be setting any precedent.

August 1, 1973

The plant, as proposed, fulfills all the State and Federal requirements and we intend to see that it is operated in a manner which would always insure that we will do no harm to the river or Lake James. In fact, we have ready agreed in the previous grant offer provisions to abide by all existing rules and also to make any necessary changes and adjustments which may be deemed necessary from time to time to insure that we will always operate within the existing, as well as, new guidelines or rules changes.

We certainly hope that you will not ask us to consider a location such as Corpening or Muddy Creek, which would not allow us the proper projected expansion room as well as being more expensive to us to build and maintain. According to your guidelines the present location would not allow us to discharge into Corpening Creek due to dilution factors and also to require us to take one discharge to Muddy Creek would be most unfair to us when we have the Catawba River so near by. We would also respectfully ask that you not allow people from another county to control our potential growth and development and well-being as long as we abide by all existing rules and regulations.

Sincerely,



James H. Segars
Mayor
CITY OF MARION

cc: J. Earl Daniels, City Manager
O'Brien & Gere, Inc.
E.C. Hubbard, Office of Water & Air Resources
W.H. Mull, Office of Water & Air Resources

JHS:jas



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

ER-73/981

SEP 17 1973

Dear Mr. Ravan:

This Department has reviewed the draft environmental statement on construction of a Wastewater Treatment System for McDowell County, Marion, North Carolina.

We agree with the overall need for a wastewater treatment system to replace the present overloaded and inadequate treatment facilities located in Marion, North Carolina.

Although several maps were included with the draft statement, it did not include a vicinity map showing Lake James, Lake Rhodhiss, the Catawba River, the Linville River, Corpening Creek, and North Muddy Creek. These water features are all mentioned in the statement and all have some involvement with the various alternatives discussed. Therefore, we suggest that the final impact statement have a map showing these water features and the location of the proposed facilities.

Summary Sheet

The list of Federal agencies on pages 3 and 4 of the Summary Sheet does not include the Federal Power Commission. In our review, we have found that Lake James is owned and operated for power production by the Duke Power Company. The lake is known as the Bridgewater Project, FPC No. 2232. Any changes proposed for Lake James would have to conform to existing recreation plans of the power company and be approved by both Duke Power and the Federal Power Commission; therefore, Duke Power and the Federal Power Commission should be added to the list of reviewing agencies, and we are sure you will want to consult them at an early date.

Chapter I, "Background"

The chapter states that Lake James has water quality suitable for drinking water as well as for water-contact activities and that it is used extensively for recreation. We urge that the recreational use of the lake be emphasized at this point in the statement. According to the Federal Power Commission, there are 14 boat ramps, three camping areas, three picnic areas, and one bathing beach available for public use. Other recreation areas include fishing clubs, youth camps, and private clubs. Recreation activities include swimming, water skiing, boating, fishing, picnicking, camping, and sightseeing. A large portion of the surrounding land is undeveloped, which adds to the aesthetics of the lake.

Few data on the geology of the area of the proposed wastewater treatment plant are provided in the draft environmental statement. However, environmental problems that may result from geologic conditions should be recognizable from pre-construction investigations and should be within the range of accepted engineering practice.

On page 16 we note that there are no major water-quality problems in Lake James at the present time. However, page 18 states that if the waste treatment plant is constructed on the Catawba River, treated effluents will add nutrients to the lake. Construction at this location, therefore, would appear to be a potential hazard to the recreational use of the lake even though a nutrient monitoring device has been suggested. This impact needs to be fully addressed in the final statement.

Appropriate parts of this section should be revised to fully describe the existing plant and animal communities of the Catawba River at the project plant site downstream to Lake James. Such a description would aid the evaluation of potential environmental effects of the proposed project on public fish and wildlife resources. For example, the draft omits description of spawning runs of white bass (Roccus chrysops) and walleye (Stizostedion vitreum) from Lake James ascending the Catawba River. The project area also provided habitat for wildlife, such as muskrats, raccoons, mink, mallards, and wood ducks.

The proposed action will not adversely affect any existing, proposed or known potential units of the National Park System or any known historic, natural or environmental education sites eligible or considered potentially eligible for the National Landmarks Program.

We are pleased to note that the National Register of Historic Places was consulted and that an archeological check of the area is being made. We recommend that the Historic Preservation Officer for the State of North Carolina be consulted concerning the effect of the project on any properties in the process of nomination to the National Register. If no such properties will be affected, a copy of the reply enclosed with the final statement will be sufficient.

We believe that the statement is deficient in that it does not reflect what will occur if the archeological check, now being performed, locates archeological or cultural remains that will be affected by the project. If such cultural resources are found, the final environmental statement should describe them, assess the project impacts, describe any appropriate mitigating measures developed, and account for any unavoidable adverse effects and irreversible or irretrievable commitments of cultural resources that may occur.

Chapter II, "Alternatives to the Proposed Action"

Although five alternatives have been examined in this statement to solve the wastewater problems, we do not believe adequate evaluation has been given to them. The information about each appeared to be lacking in details. In addition, we note the inclusion of a petition with over 5,000 signatures which objects to Alternate D, the proposed project. With such a large number of people opposing Alternate D, we believe it would be in the best public interest to reevaluate the environmental impacts of the alternative plans in more detail. For example, we believe each alternative should receive a more indepth analysis and discussion of the environmental impacts which would occur to fish, wildlife, recreation, and water quality.

Chapter IV, "Environmental Effects of Proposed Action"

The effects of the proposed waste treatment plant effluent (discharge) on fish, recreation, and water resources of the Catawba River and Lake James should be fully discussed.

Chapter V, "Adverse Impacts Which Cannot be Avoided"

The final statement should discuss project-caused impacts on fish and wildlife resulting from habitat destruction or alteration. The increase in downstream sedimentation during construction, the addition of nutrients to Lake James, and the reduction in dissolved oxygen are potential project-caused factors which could have adverse impacts on fish populations and recreational and water resources and should be discussed.

The chapter did not discuss nutrient buildup and eventual aquatic weed growth in Lake James. According to information on page 32, nutrients cannot be totally removed and their buildup is expected. Such an adverse effect which cannot be avoided should be fully discussed in this section.

Chapter VII, "Relationship Between the Short-Term Uses of the Environment and Long-Term Maintenance or Enhancement of the Environment"

This chapter should mention that Lake James will be adversely affected by the buildup of nutrients and consequently of aquatic weeds. This would be a significant long-term adverse effect along with possible long-range effects on the fishery and water resources.

Chapter VII, "Irreversible and Irretrievable Commitment of Resources"

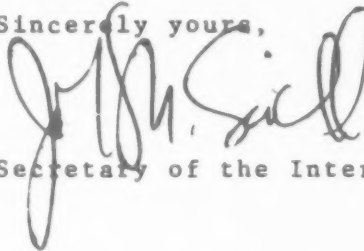
On page 37, third paragraph, the word "marine" should be changed to "aquatic."

Because of the vast public interest in this project and the potential nutrient buildup and pollution problems, we are concerned that adequate discussion be given to these matters,

and that all alternatives be fully evaluated for their environmental impacts. Such information will be essential to the decisionmakers in their deliberation on this proposal.

We appreciate the opportunity to review this statement and hope that these remarks will be of assistance to you in preparation of the final environmental statement.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "J. M. Seal". The signature is fluid and cursive, with the first and last names being more prominent than the middle initial.

Deputy Assistant

Secretary of the Interior

Mr. Jack E. Ravan
Regional Administrator
Environmental Protection Agency
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

THE CONSERVATION COUNCIL OF NORTH CAROLINA

President,
Wallace Kaufman
Box 36
Brynum, N. C. 27228

Vice President,
Thad Woodard
2529 Country Club Ct.
Raleigh, N. C. 27608

Secretary,
Mary Jane Boren
P. O. Box 1066
Chapel Hill, N. C. 27514

Treasurer,
Dr. Charlotte Dawley
P. O. Box 1065
Greensboro, N. C. 27403

RALEIGH OFFICE
808 Odd Fellows Bldg.
Hargett Street
833-8172

Peter Thompson
Sandra Linton
Hollis Harned

July 23, 1973

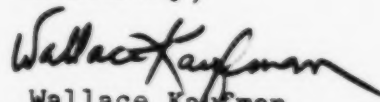
Mr. Sheppard N. Moore
Chief, E.I.S. Staff
1421 Peachtree Street
Atlanta, Georgia 30304

Dear Mr. Moore:

In your statement on the Shearon Harris Nuclear Plant in Wake County you indicated that we could not go on forever doing things the way we have been doing them (i.e. we cannot keep building 10,000 acre lakes). The same philosophy applies to the sewage treatment problems of Marion as described in the Environmental Impact Statement issued by your office.

As we see it this is not just a problem of how to build a sewage plant but of how the sewage problem relates to the needs and desires of the people in the area and to the capacity of the area to absorb domestic and industrial wastes. Our members and friends in the area have indicated to us that the problem is one of growth in general, not water pollution alone. Our comments attached will elaborate on this and relate the draft EIS to this larger problem, a relationship largely ignored in the draft itself.

Sincerely,


Wallace Kaufman
President

WK/mb

Enclosure

Comments of Draft EIS, Marion, North Carolina
Submitted by: Conservation Council of North Carolina
Wallace Kaufman, President

The situation: The EIS adequately describes the area and the situation with the exception that it fails to analyze citizen priorities. Do people in the area generally want to sustain the present level of environmental quality (which the draft says includes a lake with no significant water quality problems-- p. 16), or are they willing to sacrifice some environmental quality for the growth that the statement's preferred alternative would encourage, thus pushing the problem off onto future generations? And if a sacrifice is acceptable to the area, can it be judged acceptable to future residents and generations?

Analysis of Alternatives:

P.22, II. A. Do Nothing. We agree with EPA analysis. This is intolerable and does not fulfill our obligations to the area or its future residents.

II. B. Upgrade. We agree with listed advantages but believe there might be additional advantages not listed. First you list as a disadvantage that the plan would not provide for future growth and that it would impose restrictions on the users. We do not feel these are necessarily disadvantages. Many areas profit by not growing. Many residents are willing to accept restrictions of some kind for the sake of environmental quality--several national polls have borne this out. The draft needs to reevaluate this situation more closely and more specifically.

This solution would also have the advantage of buying some time

during which more acceptable technologies might be forthcoming-- as indicated on page 74 of the draft.

Also there is nothing wrong with septic tanks if regulated as they now are by state law and if they are not crowded closely together or placed near water sources. Septic tanks are often an excellent way of recycling wastes if they are available to root systems of lawns and gardens.

P.23. II.C. Discharge to North Muddy Creek. We find this an expensive but feasible solution if coupled with some kind of growth controls for the area and its sewage burdens. At times we should accept additional costs in order to save our resources.

P.24. II.D. Discharge to Catawba River. The main advantage of this plan seems to be cost and that it would push future growth problems off onto coming generations. We object to this solution because it moves a stable lake resource with no water quality problems from that desired situation into the position of being threatened by accelerated eutrophication. Petitions gathered in the area show this solution to be clearly unacceptable in its risks to many local people.

The draft indicates Marion will monitor the effluent to protect the lake, but it does not guarantee any means of providing the skilled technicians, and worst of all, it provides no contingency plan for what would happen if it is found that the proposed plan is indeed damaging the lake.

P.25. II.E. Land Disposal. This is an imaginative and foresighted proposal which bears some elaboration and development because in its present form it is promising but not entirely feasible. It has not been adequately investigated however. Being close to Pisgah Forest

it is conceivable (though without further investigation we cannot recommend it) that nutrients be sprayed into forests which have been used for timber harvest, thus replacing nutrients removed and usually never returned to the soils by the Forest Service or the harvesters.

The best possible answer to all waste problems is generally recycling, and this plan should be investigated and elaborated to see if we cannot create something like a closed system.

Conclusions: We strongly disagree with the finality of the draft's conclusions opting for alternative D, discharge into Lake James via the Catawba River. The heavy metals problem is completely ignored at a time when even small amounts are proving to be quite serious threats to health and the environment. And we note that putting these metals in the lake places them in a depository where they will tend to concentrate rapidly. At least in stream flow and rivers they might be more widely dispersed.

The Draft's only reason for opting for D over C seems to be cost. This is done by weighing dollar costs alone. Yet it is quite clear from citizen action that there will be considerable intangible cost to many people by using alternative D and that these costs might well outweigh the dollar disadvantage of C.

Finally the draft rejects Alternative F without developing it fully. It simply says that F is difficult to manage. Yet we must be willing to overcome this kind of difficulty if we are not to solve environmental problems by opting for mediocrity.

CCNC recommendations: CCNC recommends that EPA and the city of Marion,

for the time being, adopt Alternative B or C if something must be done immediately. In any case they should begin all possible research and elaboration of Alternative F as suggested in our comments on that Alternative. \

Further, whatever plan is adopted will be a waste of money if it is not coupled with a land use plan for this area, an area where growth pressure is great because of the high environmental quality. If a good land use plan is created and adopted Alternatives B and C would undoubtedly prove superior to Alternative D. The draft should consider the effects of C and B coupled with a land use plan.

The present draft is seriously flawed and its conclusions invalidated by these flaws.

Submitted by:

Wallace Kaufman
President, CCNC

DONALD C. LAMBETH
Chairman

CHARLES W. JOHNSON
Vice Chairman

GLENN F. DEAL
Secretary

RALPH I. STARNES
Treasurer

WESTERN PIEDMONT COUNCIL OF GOVERNMENTS



R. DOUGLAS TAYLOR
Executive Director

P. O. Box 807
362 2nd St., N. W.
Hickory, N. C. 28601
Phone 704/328-2838

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GRANITE FALLS
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HUDSON
LENOIR
LONGVIEW
MAIDEN
MORGANTON
NEWTON
RHODISS
TAYLORSVILLE
VALDESE

August 3, 1973

Mr. Randolph Hendricks
N.C. Department of Administration
Clearinghouse & Information Center
116 West Jones Street
Raleigh, NC 27603

Dear Randolph:

RE: Draft Environmental Statement, Marion, North
Carolina, Construction of Wastewater Treatment
Facilities, July 8, 1973, File Number 63-73

Our office has reviewed the Environmental Statement for the
above referenced project. As a result of our review and attendance
at the public hearing in Marion on July 25, 1973, we would offer
the following comments:

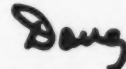
- 1) There is no mention in the statement of the possible loss
in property value along Lake James.
- 2) There is no guarantee of the long-term operational efficiency
of the treatment plant. Marion has not displayed that it has
the financial capability of keeping the plant operating at
maximum efficiency.
- 3) The statement does not contain enough technical documentation
on industrial toxins, phosphates, or acids that will enter
into and be discharged from the plant.
- 4) There is no cost analysis or breakdown of costs included.
- 5) There is no statement of the impact on aquatic life, wildlife,
or water contact sports.
- 6) Intangible benefits of preserving Lake James in an unpolluted
state are not treated in the impact statement (long-term
intangibles vs. initial costs).
- 7) At the public hearing, a letter from Dr. Wiese of the
University of North Carolina at Chapel Hill was read. The
letter mentioned a study that was conducted in 1970 by
UNC-CH on the effects of secondary and tertiary treatment
of sewerage on Lake James. The study recommended that Marion

Page 2
Mr. Randolph Hendricks

not construct a sewerage treatment plant on waters
leading to Lake James.

Your attention to these comments is appreciated.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Doug", written in a cursive style.

R. Douglas Taylor
Executive Director

RDt:dcB

STATE OF NORTH CAROLINA

DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES

Box 276H7

Raleigh 27611



JAMES E. HARRINGTON
SECRETARY
TELEPHONE
AREA CODE 919 829-4984

JAMES E. HOLSINGER, JR.
GOVERNOR

August 16, 1973

Mr. Shepherd Moore, Chief
Environmental Impact Statement Branch
Environmental Protection Agency, Region IV
Suite 300, 1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Subject: Comments on Draft EIS, Marion, N. C.

Dear Mr. Moore:

Enclosed is a letter from Mr. David E. Poteat
containing three questions which he raised at the public
hearing on July 25, 1973. Please insure these questions
are addressed to the final EIS.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. W. Puette".

M. W. Puette
Assistant Director,
Office of Water and
Air Resources

Enclosure

COPY

David K. Poteat
Route 4, Box 436
Marion, North Carolina 28752
July 27, 1973

Governor James Holshouser
Governor's Mansion
Raleigh, N.C. 27609

Dear Sirs:

Enclosed you will find a copy of the newspaper account of the public hearing held in the McDowell County Courthouse on July 25, on the proposed waste treatment facility to be constructed on the Catawba River. I hope you are aware that the Catawba River begins in the Blue Ridge Mountains (most of the creeks and streams that feed the river are on federal land) and flows too Atlantic Coast. The mouth of the river is near the continental divide line located in McDowell County. Therefore, McDowell is the first link in the chain of responsibility in assuring that the Catawba River flows as pure as possible from this county for others to use down the line. Thus, since, the proposed facility would add certain impurities to the water (which is a drinking water supply for numerous communities down the river) it is plain that the proposed waste treatment plant should not be constructed.

At this point I would like to direct your attention to the newspaper account of the public hearing. Furthermore, please note the panel did not answer three very important questions that I asked:

1. How many sewer treatment plants are already draining into the river?
2. How many more systems can the river stand before it is destroyed as a water supply?
3. How many communities or towns throughout North and South Carolina use the River as a water supply.

Also please note that in addition to the 4600 people who signed the petition there are 20,000 members of the N.C. Wildlife Federation against the sewer treatment facility. Also, I would like to direct your attention to the article, "Chlorination Planned for I-40 Rest Areas" because it stated that the EPA made its recommendation before they investigated this situation; I believe.

I hope that you will use this information to stop the construction of facilities of this kind along the Catawba River. If I can be of any further assistance please do not hesitate to contact me.

Sincerely,

David E. Poteat

DEP/jlp

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY

M. C. PETERSON, Buncombe County
Chairman

GEORGE E. DAWSON, Asheville
Vice Chairman

MRS. R. M. SWICEGOOD, Buncombe County
Secretary

JAMES C. LILES, Asheville
Treasurer



ASHEVILLE, NORTH CAROLINA

C. LeRoy Robinson, Asheville

Ben Clark, Weaverville

J. H. Longshore, Buncombe County

Paul W. Warrick, Biltmore Forest

M. Leon Williams, Black Mountain

William T. Goodson, Woodfin

July 27, 1973

Mr. Jack E. Ravan
Regional Administrator
Environmental Protection Agency
1421 Peachtree Street, N. E.
Atlanta, Georgia 30309

Dear Mr. Ravan:

It is not our desire to express opinions about a wastewater treatment plant for the Town of Marion, North Carolina. However, in your "Draft Environmental Impact Statement, July 8, 1973", which was presented at a public hearing on July 25, 1973. We feel we must take exception to a statement on Page 71, paragraph 3, made by Mr. Dan R. Simpson, relating to the Asheville Wastewater Treatment Plant. To clarify the records, this is to certify that the average daily flow is eighteen million-five hundred gallons per day, the design capacity of the plant is twenty-five million gallons per day. The only times the plant is hydraulic overloaded is when the French Broad River is in flood stage. This overloading would probably develop during flood conditions in any reasonable designed plant.

In connection with his statement, relating to expansion, Mr. Simpson did not confer with this office. You have engineering reports on file, indicating a probable expansion of this plant in 1980. The District owns the property, the site has been prepared and each year the District is setting aside funds in its Repair and Extension Account anticipating the necessity for expansion.

501 CITY HALL

TEL. 255-5383

P. O. BOX 7413

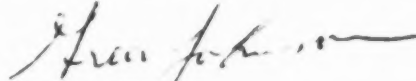
ZIP CODE 28807

P. GREER JOHNSON, ENGINEER-MANAGER

Mr. Jack E. Ravan
July 27, 1973

As indicated above we have no personal interest in the Marion situation. We do not necessarily request that this be published in a report as long as the State and Federal Agencies realize that the Metropolitan Sewerage District of Buncombe County does have long range plans for Buncombe County.

Yours truly,



Greer Johnson
Engineer-Manager

GJ:ph

cc: Mr. D. L. Coburn, Chief
Water Quality Division



DEPARTMENT OF THE ARMY

CHARLESTON DISTRICT, CORPS OF ENGINEERS

P O BOX 919

CHARLESTON, S. C. 29402

SANGC-R

30 July 1973

Mr. Jack E. Ravan
Regional Administrator
Environmental Protection Agency
Suite 300, 1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Dear Mr. Ravan:

This is in response to your letter of 9 July 1973 to Colonel J. B. Newman requesting comments on your draft environmental impact statement for Marion, North Carolina. Since Marion is within the Charleston District, your letter and statement have been forwarded to this office for review and comment.

We have reviewed the draft statement and have no comment at this time.

Sincerely,

ROBERT C. NELSON
Colonel, Corps of Engineers
District Engineer

Copy furnished:
HQDA (DAEN-CWP-V)
WASH DC 20314

Division Engineer, South Atlantic
ATTN: SADYN

General Counsel (10 cys)
Council on Environmental Quality
Executive Office of the President
722 Jackson Place, N.W.
Washington, D. C. 20006

DUKE POWER COMPANY

P. O. BOX 2178

GENERAL OFFICES

422 SOUTH CHURCH STREET

CHARLOTTE, N. C. 28201

TELEPHONE: AREA 704
374-4011

August 7, 1973

Mr. Sheppard N. Moore
Chief, EIS Staff
1421 Peachtree Street, NE
Atlanta, Georgia 30309

RE: Environmental Impact Statement - Marion, N. C.
File Nos: S-41, W-41, Bridgewater-81

Dear Mr. Moore:

Please refer to July 9, 1973 letter from Mr. Jack E. Ravan, Regional Administrator, inviting us to comment on the subject EIS.

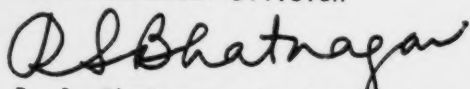
The EIS notes that the proposed sewage treatment plant will meet the water quality standards but mentions that it may not meet the effluent standards. We believe that the City of Marion will take adequate measures to meet the EPA effluent standards when such standards are fully determined.

Duke also notes that monitoring of nutrient concentrations is a condition of the grant offer to the City of Marion and that this would demonstrate the adequacy of the treatment system. We suggest that the possible effect of the effluent on the operation of Duke's Bridgewater hydroelectric plant and recreational activities on Lake James be discussed.

We appreciate the opportunity to comment on the EIS.

Yours very truly,

L. C. Dail, Chief Engineer
Civil-Environmental Division



By: R. S. Bhatnagar, Senior Engineer

RSC:pt

P O BOX 2178

DUKE POWER COMPANY

GENERAL OFFICES

422 SOUTH CHURCH STREET

CHARLOTTE, N. C. 28201

TELEPHONE: AREA 704
374-4011

August 16, 1973

Mr. Sheppard N. Moore
Chief, EIS Staff
1421 Peachtree Street, NE
Atlanta, Georgia 30309

RE: Environmental Impact Statement - Marion, N. C.
File Nos: S-41, W-41, Bridgewater-81

Dear Mr. Moore:

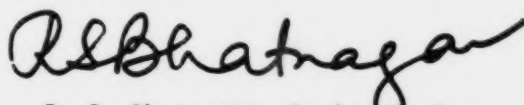
Please refer to our August 7, 1973 letter submitting comments on the subject EIS.

On further study of the EIS, we note that the elimination of the present discharge of inadequately treated waste into Corpening and Muddy Creek will result into a reduction in the nutrient load to Duke's Lake Rhodhiss. Also, the plant will produce effluent containing extremely small quantities of settleable solids and BOD.

We conclude that the normal operation of the proposed plant will neither cause a significantly adverse effect on water quality of Lake James, nor would affect the operation of the Bridgewater hydroelectric plant adversely.

Yours very truly,

L. C. Dail, Chief Engineer
Civil-Environmental Division



By: R. S. Bhatnagar, Senior Engineer

RSB:pt

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Post Office Box 27307, Raleigh, North Carolina 27611
Telephone: 919/755-4210

August 7, 1973

Mr. Sheppard N. Moore
Chief, EIS Staff
1421 Peachtree Street, NE
Atlanta, Georgia 30309

Dear Mr. Moore:

The draft environmental impact statement for the construction of wastewater pumping stations, force main, and a wastewater treatment plant in Marion, North Carolina was received for our comments on July 13, 1973.

We have reviewed the draft statement and find that the proposed action will not have an effect on Soil Conservation Service project activity.

The Soil Conservation Service assists soil and water conservation districts in technical phases of their programs. The Service, consistent with priorities for work established by the districts, will provide consultative service in making soils interpretations and in reviewing or developing plans for controlling erosion during and after construction.

We appreciate the opportunity to review and comment on the proposed project.

Sincerely,

Jesse L. Hicks

Jesse L. Hicks
State Conservationist

cc: Kenneth E. Grant, Administrator, USDA, Soil Conservation Service, Washington
Grady Lane, Director, State Soil and Water Conservation Committee
Mitchell E. Clary, Area Conservationist, Soil Conservation Service
Leroy R. Miller, District Conservationist, Soil Conservation Service



STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION



JAMES E. HOLSHOUSE, JR.
GOVERNOR
WILLIAM L. BONDURANT
SECRETARY

REPLY TO:

CLEARINGHOUSE AND INFORMATION CENTER
116 WEST JONES STREET
RALEIGH, N. C. 27603
(919) 829-4375

August 9, 1973

Mr. Sheppard N. Moore
Chief, EIS Staff
Environmental Protection Agency
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Dear Mr. Moore:

Re: Draft Environmental Statement, Marion,
North Carolina, Construction of Waste-
water Treatment Facilities, July 8, 1973

We are enclosing herewith for your use the comments of the North Carolina Department of Natural and Economic Resources, the State Department of Archives and History, the Isothermal Planning and Development Commission, and the Western Piedmont Council of Governments pertaining to the subject draft statement. Copies of the statement were referred also to the State Board of Health and the State Highway Commission. These agencies have not submitted comments within the prescribed review period.

The Isothermal Planning and Development Commission is the designated Regional Clearinghouse for the multi-county planning region in which the proposed project would be located; while the Western Piedmont Council of Governments is the Regional Clearinghouse for the region to the east of McDowell County consisting of four counties situated along the Catawba River, Rhodhiss Lake, and Lake Hickory.

We request that you furnish this office three copies of your final environmental statement for this project, to be made available for public inspection at the Office of State Planning Library and at the two Regional Clearinghouses most directly affected.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Randolph Hendricks".

RANDOLPH HENDRICKS
Planning Coordinator

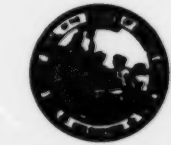
STATE OF NORTH CAROLINA

DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES

Box 27687

Raleigh 27611

JAMES E. HARRINGTON
SECRETARY
TELEPHONE
AREA CODE 919-829-4984

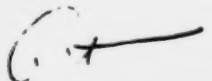


JAMES E. HOLSHOUSE, JR.
GOVERNOR

August 8, 1973

MEMORANDUM

TO: Randolph Hendricks

FROM: Art Cooper 

SUBJECT: Marion Wastewater Facilities (File No. 63-73)

This Department has no comment on this project at this time, however, the Water Quality Division of the Office of Water and Air Resources will file a separate brief with EPA after public hearing if necessary.

State Department of Archives and History

Box 1281

Raleigh, North Carolina 27602

Memorandum

Date: 17 July 1973

TO: Mr. Randolph Hendricks
Clearinghouse and Information Center

FROM: Dr. H. G. Jones, State Historian/Administrator and
State Liaison Officer for Historic Preservation
By Mrs. Catherine Cockshutt, Survey Supervisor *CWC*

SUBJECT: Marion, North Carolina, Construction of Wastewater Treatment
Facilities, July 8, 1973, File No. 63-73

Thank you for sending us the memorandum and map regarding the above proposed project. We have reviewed the project and consulted the most recent listing of the National Register of Historic Places. We would like to report that no properties on the National Register or properties currently under consideration for the National Register will be affected by the project. Since our files are not complete, however, we will keep your memorandum and map on file and contact you if we learn of any significant property near the proposed project.

As you know, this does not include Dr. Joffre L. Coe's review of possible aboriginal archaeological sites. His comments will be forwarded directly to you.

If you have any questions regarding the reply to this statement please contact the Survey Unit at 829-7862, Greer Suttlemyre.



ISOTHERMAL
PLANNING AND DEVELOPMENT COMMISSION

306 RIDGECREST AVENUE
RUTHERFORDTON, N. C. 28139

287-3309

Fred Placak
Chairman

Paul D. Hughes
Executive Director

Executive Committee

Fred Placak
Boydston Frisby
Joe Hendrick
Jack Harmon
Sam Hargett
Hubert McEntyre
Dr. Hubert Plaster

July 27, 1973

Mr. Randolph Hendricks
Planning Coordinator
Office of State Planning
116 West Jones Street
Raleigh, North Carolina 27603

RE: Draft Environmental Impact Statement
Marion, North Carolina
File No. 63-73

Dear Randolph:

This Commission has reviewed the above referenced statement. The Board concurs with the statement and recommends approval for Marion to proceed with their plans incorporating the additional steps recommended in the draft statement.

Sincerely,

Paul D. Hughes
Executive Director

PDH:mc

cc: Mr. Earl Daniels
Mr. Doug Taylor



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION IV

50 Seventh Street, N.E.
Atlanta, Georgia 30323

REGIONAL OFFICE OF
FACILITIES, ENGINEERING AND CONSTRUCTION

August 16, 1973

Re: 312-7-73

Mr. Sheppard N. Moore
Chief, EIS Staff
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Dear Mr. Moore:

Subject: Sewage Collection and Treatment Facilities
Marion, McDowell County, North Carolina

We have reviewed the draft Environmental Impact Statement
for the above subject project and have no comments.

Sincerely yours,

Jr. James E. Yarbrough
Regional Environmental Officer